I mentioned the IRS reform conference report. We have at least four appropriations bills that are ready, and we would like to work with both sides to see if we could not clear some Executive Calendar nominations. For instance, the Amtrak board, if we don't approve the board by July 1, the Amtrak authorization expires. Now, anybody who wants their Amtrak efforts last year to be for naught better be thinking about it, because if we don't get the authorization, we don't get the reforms, we are not going to get the money in the future. I have been a supporter of Amtrak, but I said last year it is the last time. We are going to do it right or we are not going to get the money we need in the future.

In conclusion, Mr. President, I again thank Senator COVERDELL and his colleagues on both sides of the aisle who have worked on this very important education bill. I am excited, honestly excited, that we are about to pass one of the most important education bills that the Senate has acted on in years to encourage more savings for our children's education, for their needs. That is certainly worthwhile.

I particularly note that in addition to Senator COVERDELL, Senator TORRICELLI has been very helpful, sticking to his guns against a lot of opposition. It would encourage prepaid tuition. Twenty-one States have that program. My State has that program. It will be very helpful to get tax benefits of prepaid college tuition. Also, we should encourage employers to give employees benefits for pursuing higher education. This is a really great bill. I believe it will pass with a wide bipartisan margin, and I believe that education will benefit and children in America will be better off because of it.

So I thank those who have been involved. I think it will be one of the most important things that we have done this year. I hope the President will find it in his heart to sign this legislation.

I yield the floor, Mr. President.

(Mr. ALLARD assumed the Chair.)

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. LOTT. Mr. President, I would be glad to yield to the distinguished President pro tempore.

Mr. THURMOND. I thank the able majority leader for his remarks and his plan of action. It is the least we can do in the Senate to cooperate with him. He has outlined the procedure here to get results, and we all ought to help him all we can to go forward with this bill and other matters before the Senate.

Mr. LOTT. I thank the Senator.

I yield the floor, Mr. President.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

EDUCATIONAL SAVINGS AND SCHOOL EXCELLENCE ACT OF 1996—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the conference report accompanying H.R. 2646, which the clerk will report.

The assistant legislative clerk read as follows:

Conference Report on H.R. 2646 to amend the Internal Revenue Code of 1986 to allow tax-free expenditures from education individual retirement accounts for elementary and secondary school expenses, to increase the maximum annual amount of contributions to such accounts, and for other purposes.

The Senate resumed consideration of the conference report.

The PRESIDING OFFICER. The Senator from Massachusetts, Mr. KERRY, is recognized to speak up to 10 minutes.

Mr. KERRY. Mr. President, it is my understanding I have available some leadership time, so I yield myself additional time, if necessary, under the leadership time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KERRY. Mr. President, I just heard the majority leader call this one of the most important bills for education that the Senate could pass, and he hoped that the President would sign it. I regret that I must disagree with the judgment of the majority leader. This could have been one of the most important bills that we pass. We had an opportunity in the Senate to be able to really deal with the broad issue of education reform and the education needs of our Nation, but this bill does not do it. What it does do, it does in a way that winds up being a perpetuation of the divisions in our country between those who have and those who do not, and a division between our school communities in what is available to our children to be able to get the best education in our country.

So I would not only say to the President don't sign it, I would say veto it. This is a bill that, in its current form, deserves to be vetoed. Why? The bill is definitely better than the bill that left the floor of the Senate. It is better because the Gorton amendment, which put all of our education assistance into a block grant, is gone. It is gone for good reason, because it would be an enormous mistake to make that judgment in the country where education is in such enormous need of help. Education now, obviously, is the most important focus of the Nation in terms of revitalizing our democracy, making a skilled labor pool available to all facets of our high value-added job base, to the technology future we know is coming, and to the management of information, all of which requires a first-rate elementary and secondary school system. This bill, regrettably, through the Gorton amendment, would have diminished our ability to achieve that.

The bill, also, in its current form, doesn't do any of that—and I will speak to that in a moment.

The second reason why it is better in its current form is that the bill no longer has a prohibition on the ability of people to implement testing standards. Obviously, at a time when our schools are struggling to be able to produce a verifiable and accountable product, it is critical for us not to deprive those schools of the ability to adhere to some kind of national measurement of what we are and are not achieving. Parents all across this Nation want to know that their children are, indeed, learning something. So it is important that we now have empowered the schools to be able to conduct some kind of a test that measures that, on a voluntary basis. It allows them to say, ''Here is what they are accomplishing in California, here is what they are doing in Massachusetts, here is what they are doing in Georgia. Is there something that we are not doing in our State that maybe we ought to that would allow us to be able to do a better job?''

So that is why it is better. The answer to the question why this particular bill still deserves to be vetoed is very simple. I am in favor of a savings program for our parents to be able to send their kids to school, and particularly to a school of choice. This bill, in wisdom, says: Private, parochial, public—you choose. That is good. That is part of what this country is. But the basic choice that it is giving to those parents is, in my judgment—I say this respectfully to my friends who support it—fundamentally flawed because, according to the Treasury Department, 70 percent of the benefit of the savings account given in this bill will go to the top 20 percent income earners in America.

I know my colleague will try to refute that, but the facts are the facts. If you earn $45,000 or less in this country, the tax benefit to you through this bill is $2.50, on average. But if you are in the higher income-earning area, because of the benefit of a tax credit, you will get upwards of $96 or so. So what this bill does is comfort the comfortable and do very little to assist the problems of those who are in the most challenged areas of our school system in this Nation. And that is wrong.

I asked my colleagues how they can come to the floor of the U.S. Senate for the last 3½ weeks—the Senator from Texas, Senator GRAMM, the Senator from Missouri, Senator ASHCROFT—with this extraordinary concern for the working poor of America. By God, we weren't going to pass a tax bill in this Senate that somehow fell disproportionately on blue-collar, working-class people who went out and bought a pack of cigarettes. For weeks the Senate was subjected to the notion that our friends on the other side of the aisle really do care about working people and the burden that they bear. And the first bill to come along after that debate turns around and offers a classic Republican giveaway to those who are already earning the most in America.

The second reason why this bill, I think, deserves to be rejected is it really does not deal with the problems of our school system today. It just does not deal with them. It is all well and good to say to a parent: ''We are going to give you this tiny little bit of savings. If you earn less than $45,000 a year, you are going to get $2.50.'' That is amazing. You are not going to be able to do much with that. And if you are even in the upper end, let's look at what they get. On an annual basis maybe in the $90 range, somewhere like that—$96.

What is lacking in our schools is far more profound than what this bill is ever going to address. All across this country we have secondary and elementary schools that are failing. We also have some extraordinarily successful public schools in the country. We designate some of them annually as blue ribbon schools, and the Department of Education singles them out and gives them an award for being a very special school.

I have taken some time to go into those schools to try to find out why is one school a blue ribbon school and another school, maybe 10 blocks away or two districts away, is failing. Almost invariably you will find in the school that is a success a hybrid relationship that has been built up between the school committee and the school board and the teachers and the principal. And absolutely without fail, in the school that is very successful you will find a principal who is extraordinarily capable, energized, very skilled in leadership capacity, who has worked out a very special relationship with the school board so they can move teachers who need to be moved who are not performing correctly, who has brought parents into the school, and who has created a dynamic in that school that makes it special.

In effect, what has happened is that in those successful schools, you have effectively created a kind of charter school. What I proposed last week in some public comments is the notion that what we really ought to be doing, if we are going to talk about education reform, is figure out how we stop talking past each other in the U.S. Senate, how we stop bringing these sort of Band-Aid, stop-gap measures to the floor, pretending that we are dealing with education reform in America with $2.50 to $96, when the real issue of education reform is how do you create accountability in a system that is imploding on itself? How do you create a system where teachers can be brought in, even from the liberal arts, rather than just from the education monopoly that we have created? How do you create a system where we are going to attract a whole new wave of principals with the capacity to offer the kind of leadership I have talked about? How do you create a system where you can move those teachers out of the system who are burnt out, or who are unwilling to improve sufficiently to raise our kids to the standards that we want? These are the real issues of education reform.

We are going to lose 2 million teachers in America in the next 10 years. We have to hire an additional 2 million teachers. If we are reduced to hiring from the current pool that is available, a pool where we know the SAT scores and the ACT scores are universally lower than in any other discipline that tests in the United States—that is the pool—and that we lose 40 percent of those teachers in the first 4 years, we are asking ourselves a set of very serious questions that are not being asked on the floor of the U.S. Senate. You cannot attract teachers out of most of the colleges that I represent in Massachusetts, whether it is the University of Massachusetts or BU or MIT or Boston College or any number of schools—Clark University, you name it. We have 136 of them in our State, one of the best networks of universities and colleges in America.

But when I go to those campuses, and I turn to the kids, and I say, ''Are you thinking of teaching?'' I might get one hand raised out of 150. And one of the primary reasons for that is, you cannot tell a kid who has $20,000 to $50,000 to $100,000 worth of student loans that it is of value to them to go teach when they are going to be fundamentally indentured servants for the rest of their lives. If they get a master's degree and maybe even a Ph.D., they can eke their way up into the high forties, fifties, sixties in some school systems, but their peers are going to be earning a lot more than that.

We do not value teaching in America. We pretend we do, but we do not value it. We have left our schools in a state of chaos, where they are competing with districts that have a lot more money, a lot more security, a lot more capacity to make ends meet. And then we wonder why things are imploding. This bill does not do anything to really help that, except, I might add, to encourage the flight from the school system that is already in trouble.

Mr. President, I have news for my friends in the U.S. Senate. There are not enough vouchers, there are not enough savings programs to go around to save the public school system, which is the place where 90 percent of the children of America go to school. So you give a few vouchers and you give a few savings plans, and a few kids are going to opt to go to a parochial school or somewhere else, but, meanwhile, what is happening to pull that other system back from the brink?

I have heard people make the argument, it is immoral to leave 1,000 kids in the Washington, DC system, for instance. And the answer is, yes, it is. But it is even more immoral to say that we are satisfied, as the richest Nation on the face of the Earth, to simply save the 1,000 and not do something for the other 4,000 that are left behind.

That is essentially what this bill says. It says that it is OK to come along and offer the wealthiest people in America, who already have the best school systems, a little more help to take their kids out of the system that most needs help today.

I think we ought to find ourselves in a middle ground. I believe the whole teacher certification process needs change. If we are going to attract 2 million new teachers of the quality that we want, we need desperately to change the way in which we have created this education monopoly within the teacher certification process. We need to be able to attract even liberal arts graduates, people out of government, people out of corporations, and bring them into the system and let them teach.

We need to liberate our principals from the layers of bureaucracy that are literally snuffing out creativity in too many of our schools. We need to encourage the capacity of teachers who have burnt out or do not want to pursue further skills and raise the standards of the schools. We need to find ways to encourage them, decently and in a humane way, to move to some other discipline or at least to raise the standard within that school. And we clearly need to provide principals the ability to be able to manage locally and make things work.

You look at what is happening out in Chicago with Mayor Daley who has instituted a tough system. If kids fail a class during the year, they take summer school. And if they fail the summer school, they repeat the grade. And the way he did it was by breaking through bureaucracy and breaking through the system and making certain that he was going to be able to institute that as the mayor, regardless of where the politics of the school board and everybody else were.

I believe that that is the kind of effort that the U.S. Senate ought to be encouraging broadly across this country. That is the kind of real reform that is going to make a difference in teacher tenure, which needs to be changed. Teacher certification needs to be changed. Teacher pay needs to be changed. Principals and accountability need to be changed. Recruiting of teachers across the country needs to be changed.

How much time have I used?

The PRESIDING OFFICER. The Senator has used 5 minutes.

Mr. KERRY. I have used—

The PRESIDING OFFICER. You have used 5 minutes of leader time.

Mr. KERRY. So I used all the time available?

The PRESIDING OFFICER. That is correct.

Mr. KERRY. I simply say to my friend from Georgia, I hope the time will come that we will get both sides of the fence here talking about real, broad, systemic reform that will save the public school system of this country.

Mr. COVERDELL. Mr. President, I am going to yield 5 minutes to the distinguished Senator from Connecticut.

Before the Senator from Massachusetts leaves, I just have to make this point, that the families who are eligible to participate in these savings accounts are identical, the very same families and same criteria designed by the President for his savings accounts that we passed last year and celebrated on the White House lawn. There is not one comma different. We cannot celebrate it on the one hand, the President's savings accounts, and say this one is just for the wealthy. They are the same.

I yield 5 minutes to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. I thank the President and thank my friend from Georgia.

Mr. President, as the remarks from my friend from Massachusetts indicate, there is a broad and shared concern about the quality of education in our country today that is felt by every Member of this Senate. And I think the question is, What do we do about it? Can we go from that concern to making something happen that will improve the future of our children?

There is no cure-all here. The way to begin is with a simple, small, but potentially significant idea such as that involved in these education savings accounts. The question is, Will we break out of our own sense that our idea is the only idea that will work and listen to those who have a different idea or get together on common ground to allow 1,000 flowers to blossom, to allow doors to open up, to allow a host of reform ideas across this country to be tried?

That is exactly the spirit of the education savings account bill before us. This is not a bill that comforts the comforted. This is a bill that lightens the burden on the overburdened middle class families of this country who are struggling to enable their children to realize their dream of a better education and therefore a better life ahead of them.

As the Senator from Georgia says, the income limits in this bill are exactly what they were in the bill that we all voted for. It had strong bipartisan support last year. The Joint Tax Committee analysis of this bill says that 70 percent of the tax benefit from these expanded savings accounts will go to families with annual incomes of less than $75,000. That is the middle class—working, struggling, trying to find a way to get their kids to rise on the ladder of American life, and knowing that the way to do that is with a better education.

Mr. President, it is true, there are very few poor families who are going to be able to afford to take advantage of this bill. Some will. But I say to my colleagues who want to help the poorest families, support the school choice voucher scholarship bill that Senator COATS and I have put before this Senate and that we will offer as an amendment within the next month or two.

This is a small step forward to encourage parents to do exactly what the President and the Secretary of Education have asked them to do, which is to get more involved in the education of their children, to save—most of the benefit of this bill will be used by parents of kids in public schools. And the truth is, because the benefits of this bill go right on through college and graduate school, most of the savings will be used for college and graduate school.

Mr. President, I know the President of the United States has indicated that he will veto this bill. I appeal to him to reconsider that statement. This is a good bill that ought to be the basis of a broader agreement on how to give the parents and children and teachers and school administrators of our country some room to innovate reform and improve the quality of public education.

I urge the President not to use that veto pen, but instead to ask my colleague from Georgia and others who support this bill to come up to the White House. Let us sit down and reason together and see whether we can use this bill as the basis of a broader agreement on education improvement in our country.

The conference committee, the majority of whom were members of the Republican Party, took some steps in the direction of accommodation. They removed the school block grant and the testing amendments which were objectionable to most Democrats. That creates a spirit of compromise. I urge the President to respond to that by moving toward the sponsors of this bill and seeing if we can attach to it, in some fashion here legislatively, some of the school construction and reduction of school size proposals that are good proposals that the President has made.

The point is, this conference report offers us an opportunity. Let's not respond to it defensively and rigidly. Let's keep in mind not the status quo, those with a vested interest in the status quo of our education system, but the millions of our children who are not receiving a good education in our schools today. Let's give them the opportunity to dream and realize their dreams.

I thank my colleagues. I urge a vote for this conference report.

I yield the floor.

The PRESIDING OFFICER (Mr. KEMPTHORNE). The Senator from Idaho.

Mr. COVERDELL. Mr. President, I thank the Senator from Connecticut for his arduous efforts on behalf of education reform. I yield up to 10 minutes to the distinguished Senator from California.

Mrs. FEINSTEIN. I thank the Chair and I thank the Senator from Georgia.

Mr. President, when this bill was last before this body, I voted against it. I voted against it because it had some amendments to which I could not agree. Those amendments have been removed by the conference committee. I am very pleased to announce my support for this bill.

To some, this bill will not be politically correct. For me, it is time to try new initiatives in education and to be guided in the future not necessarily by what is politically correct, but by what works in the homes, in the families and in the schools all across this great country.

If this bill encourages savings for education, our country will be better for it. If it encourages parents, grandparents, aunts and uncles to help their families' children become educated, this will be a major achievement. I believe this bill will help. I am happy to support it. I, too, urge the President of the United States reconsider and to not veto it.

I have heard this bill called many things, but let's analyze for a moment what this bill does do. It increases the limit of contributions from $500 to $2,000 for an education savings account which is currently available for post-secondary education. Thus, families will be able to quadruple the annual contributions they can now make into education savings accounts. It allows families to spend the money from these accounts on elementary and secondary education, both public and private.

Of course, there is the rub. Some feel we should not provide anything for private education. I disagree. The bill enables people other than parents—grandparents, aunts, uncles—to contribute to a niece, nephew, or grandchild's education and to get a small tax deduction for so doing. It provides grants to States to implement teacher testing and merit pay programs at a time when everyone is concerned about education and sees that teaching is one of the most productive investments we can make to improve learning. It allows schools to use existing state school innovation funds (ESEA Title IV) funds to reward schools with grants when they demonstrate high achievement. It allows weapons brought to school to be admitted as evidence in any internal school disciplinary proceeding, the bill I introduced with Senator BYRON DORGAN.

Now, the key feature of this bill is that it creates incentives for people to save for education. Some have said this bill benefits the rich. I disagree. These accounts would be available to couples earning under $150,000 a year and to single people earning under $95,000 a year. This will help many Americans.

A major reason I support this bill is that Americans are not good savers. Our current savings rate has dropped from 4.3 percent in 1996 to 3.8 percent in 1997. Americans today save at one-third the rate that people save in Germany, at one-third the rate they save in France, and at one-third the rate they save in Italy.

If this bill encourages people to save for the education of their children—whether they use that in public education, in private education, in religious education—I am all for it. The point is, let's encourage America's families to save for education. If we

fail to save for education, if we fail to place a value on education, we will sink as a first-class society. That is what I think is the overwhelming message of this bill—we value education.

As has been said, the Joint Tax Committee has estimated that 58 percent—that is nearly 60 percent—of the tax benefit would accrue to those taxpayers filing 10.8 million returns with children in public schools. In California, out of 13 million tax returns filed, 10.4 million or 78 percent of tax returns reflect earnings under $50,000. The average per capita income in California in 1998 is $28,500. One out of every four students lives with a single parent. This bill could, in fact, help many Californians.

Let's take the example of a family that earns less than $30,000 a year. And if you have a grandparent who could save and contribute, an aunt who could save and contribute, an uncle who could save and contribute, this bill gives them an incentive to save for their grandchild or niece or nephew. Plus, we are saying we value this kind of savings. After all, if we can authorize it for postsecondary education, why don't we authorize it for primary education? The reason is simple: Some people here say you shouldn't provide anything for private schooling. I say if a family can accumulate savings and thus have a choice of whatever school they want their youngster to go to, as long as that youngster receives a good education, is that not really what government is all about?

Mr. President, I am very happy to support this bill. I want to make one other comment. I am particularly pleased that the conferees accepted the Safer Schools Act of 1998. This provision is based upon a bill which Senator DORGAN and I introduced. It ensures that if a student brings a gun to school, the gun will be admissible as evidence in any school disciplinary hearing. As we are all acutely aware, we have seen a wave of tragedy in recent months involving students shooting other students. It goes without saying that schools should be safe places. Schools should be for books and learning, not guns and shooting. So I hope we will take comprehensive action to reduce these tragedies in the coming months. I would like to work with those who want to help do just that.

In the meantime, I am pleased that we are taking this common-sense step today to reduce the risk by ensuring that our schools can safely expel students who bring guns into their school.

In summary, again, to some this bill is simply not politically correct. To me, it encourages American families to save for what is the most vital aspect of American life and that is giving our youngsters a good education. People can put their money into an IRA and they can then use this money based on their own choice for public education, for tutoring, for books and tuition, for private education or for religious education. I believe the time has come to try new initiatives.

I thank Senator COVERDELL, Senator TORRICELLI, and those who have proposed and supported this legislation. I am happy to join with them.

I thank the Chair and I yield the floor.

Mr. BINGAMAN addressed the Chair.

The PRESIDING OFFICER. Who yields time?

Mr. BINGAMAN. Mr. President, I yield myself 5 minutes from the leader's time.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I will oppose the Coverdell education IRA bill. In my view, it provides precious little help to parents and even less help to schools. The IRA provisions of the bill do not provide any real opportunity for schools to improve themselves. In the debate we had here in the Senate, it was clear that most of the efforts to improve the bill and get to what I would refer to as core educational issues were rejected. And one key provision that was accepted has, of course, now been stripped out of the bill by the conference committee; that is, a provision that tries to address the very serious dropout crisis that we have in our schools.

I believe that a failure to give attention to this crisis is perhaps the best example of the limitations of this bill. Each day that there is school in this country, we have an average of 3,000 students between grades 7 and 12 who leave school and leave permanently before graduating. In many schools, the graduating class is half the size of the entering freshman class of 4 years before.

Unfortunately, a disproportionate number of the students who are dropping out are Hispanic. We see that problem in real terms in my home State where our Hispanic population is large. Those students often attend the most overcrowded and least well-equipped schools in the Nation. The vast majority of our dropouts are not Hispanic, though, and they are Anglo students—students from all ethnic and racial backgrounds who are bothered with watered-down classes. They are alienated from large schools where nobody seems to care about the work they do.

To address this problem, I proposed an amendment, along with Senator REED, which was the dropout prevention provision of the bill. The Senate adopted this proposal to provide $150 million in dropout prevention funds to authorize that funding by a vote of 74–26. So, clearly, there was strong support here in the Senate for this initiative.

With this $150 million, we could have provided funding to help schools that have the highest dropout rates, to reduce those dropout rates and transform their educational programs so that students would stay. With the $150 million, we could have taken the first concrete steps toward meeting the bipartisan goal that President Bush and the 50 Governors agreed to back in 1989 when they met in Charlottesville. The goal was that at least 90 percent of our students would complete high school. Despite the obvious need for this dropout prevention effort and the overwhelming support that we had here in the Senate for this amendment, the provision has been dropped from the bill that is before us today.

I believe that the House and Senate need to address these core educational issues. I hope very much that there is an opportunity in the appropriations bills that we consider to have a serious debate and hopefully do better to get the Federal Government on the side of addressing core educational issues.

This conference report that we are going to vote on does little, but it promises much. In that regard, I think the people of the country are being misled about the extent of the effort and extent of the accomplishment that we are talking about today. I was very proud to be with Senator REED, Congressman HINOJOSA, and well-known actress/entertainer Rita Moreno yesterday at a press conference where we talked about the importance of the dropout problem and the importance of getting Federal support to deal with that. I am disappointed that the conference report on this Coverdell bill does not include any provision to help address the crisis.

I intend to vote against the bill.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I yield 5 minutes to the Senator from Louisiana off our side's time.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. BREAUX. I thank the Senator.

Mr. President, I congratulate Senator COVERDELL for his work and Senator TORRICELLI, on our side, who has contributed so much to this debate. It gets down to basics: Are we interested in helping kids and families or helping buildings? I think the clear argument is that we should be helping students and helping families educate their children, wherever they attend school.

One of the arguments against this bill I have heard is that, well, it gives some type of Government assistance to private or parochial schools. I want to address that issue because I think it is not a legitimate concern. I have a book here that is put out by the Department of Education, our Federal department here in Washington. It is a book of all the programs that exist currently where Federal tax dollars are used to help students regardless of where they go to school, as long as it is a legitimate school. This book is full of programs. It has about 70 pages of Federal programs that go to children. If you are poor, if you are disadvantaged, or if you have a disability, you can use that assistance to go to the school you want to go to.

Now, the largest program we have in the Federal Government is Title I of

the Elementary and Secondary Education Act. It has been federal law since 1965. Let me read where Title I funds go:

Elementary and secondary education as originally passed by Congress in 1965. Under this legislation, private school students, private school teachers, private school other personnel are included in the program.

We do that already. We have done it since 1965. One in four schools in the country happen to be private or parochial. We are talking about helping the child get a better education, which is in the national interest. Yet, people say we are breaking a tradition of not helping private or parochial schools. We have bookloads of programs that do exactly that. This bill is consistent with that—completely and totally.

In addition to Title I, which goes to students, like this education savings account goes to the families and students, we have other programs in the book. I will mention one or two. Child nutrition programs—do we not help private/parochial students with child nutrition programs? Of course, we do. It is important. Students with disabilities also get help.

What about students who are not disadvantaged and do not have a disability? Are we going to ignore them? That is the largest group of people out there. I suggest this makes a great deal of sense.

Talk about consistent. Just last year, this Congress, this body, most Democrats, and Republicans as well, voted for the $500 IRA savings account for higher education. It has the same limits on income as this proposal. The only thing we have done is make this for students in K through 12, and parents can set aside a little private money to help the child go to the school that is in their best interest to go to. We are not talking about a voucher; we are talking about a family taking their own money and putting their own money in their own savings account to help educate their child.

It was very clear that the Taxpayer Relief Act of 1997—the President signed it and I congratulate him for participating and signing it—is the same program. It is just that it was for higher education. If you went to Saint Michael's College, you got a $500 savings account. Nobody thought that was an infringement on trying to give Federal aid to private/parochial schools. We all applauded that.

Let's do the same thing for the same families, with the same income limits. Let them, for K through 12, set aside a private savings account and draw interest on it and use it for school expenses for the child. All of a sudden, this is something that is novel, something we have never done before. Of course, we have. We did it last year. We have been aiding those students since 1965 with the largest Federal education in program, Title I of the Elementary and Secondary Education Act.

Students in Louisiana, when they are in a private or parochial school, get the same dollars, the same money, the same program benefits, the same child nutrition programs, and the same education for disabilities assistance. That is part of what our country is about—trying to help educate children. We are not talking about vouchers. We are not talking about doing anything other than help families help their children.

Why do we always ignore middle-income working families? If you are poor, we have a program. If you have a disability, we have a program. If you have other problems and special education needs, you have a program. But if you are middle income and struggling to make it and raise a family and keep the family together, we say no, that is an infringement.

It is time to encourage working middle-income Americans who are struggling, to help them to have more savings to invest in their children's education. Let's not encourage families to say, ''I have no interest in it; let the government do it.'' We are saying let's create an incentive for families, middle-income working families, to help their children K through 12, and not be, I think, arguing that somehow we are breaking new ground, and saying ''My God, what are we going to do?'' We are doing what we have done consistently since the government has been involved in trying to help many families and help counties and parishes in my State improve the educational systems in their respective.

I commend this bill for our support.

The PRESIDING OFFICER. Who yields time?

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Thank you, Mr. President. I yield myself 5 minutes of leader time.

The PRESIDING OFFICER. Without objection.

Mrs. MURRAY. Thank you, Mr. President.

Mr. President, I am delighted that we are here today again to discuss education. It is probably the most critical issue that we have before us in this country. Parents know it. Community leaders know it. Our families across this country want all of us to address the important issues of education so that every child in America, no matter where they come from, have the opportunity to get the American dream in today's society.

Unfortunately, the bill before us—the Coverdell A+ bill, will only help those people who can afford to put away $2,000 a year. Unfortunately, that will not be a lot for parents out there who are worried about their child's education, or the children in our neighborhoods who we all worry about and whether or not they will get the skills they need to go out in the job market and to succeed.

Mr. President, there are ways that we can help every child in America get a good education. I have been on the floor many times to talk about the issue of class size, and how too many children are in overcrowded classrooms today and don't get the individual attention that they need in order to succeed. I have had many young people tell me that when they are in a math class with 35 students, they don't get the opportunity to ask their teacher for individual help when they don't understand. Yet, we sit on this floor and decry the fact that too many of our young children today don't get the skills they need in math and science, so they can go on and be competitive in tomorrow's world. We can make a difference if we reduce class size.

Mr. President, I ask unanimous consent to send a bill to the desk for purposes of introduction today that will address the fact of class size.

Mr. COVERDELL. Reserving the right to object, is the Senator sending a bill to the desk?

Mrs. MURRAY. Just for introduction.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. I thank the Chair.

Mr. President, the bill I sent to the desk on behalf of myself, Senator DASCHLE and many other Members, will add 100,000 teachers to our workforce across this country so that we can begin the process of making sure that every student has a well-qualified teacher in a class that has a number of students to whom that teacher can pay attention.

Mr. President, this is a beginning step that will make a difference for average children across our country. I think it is essential we address many of the issues I have heard my colleagues talk about.

Senator FEINSTEIN spoke for a moment about violence in school. I have had teachers tell me, I have had police officers tell me there are so many kids in our classes today that they don't get individual instructions. They feel anonymous in our neighborhoods and in our classrooms. And, as a result, we are seeing some of the impacts in our schools today, and we are reading about some of the headlines that we are seeing when violence hits our schools. Reducing class size so that children have individual attention when they need it so they don't feel anonymous makes a difference in addressing those issues.

I heard Senator BINGAMAN talk about dropout prevention. He has done an outstanding job. He has been a leader in our Nation in addressing this critical issue of class size reduction so that children get the attention they need, the help they need which will make a difference in dropout prevention.

Mr. President, I urge my colleagues today to reject the bill in front of us. It does little; it promises a lot. If we really focus on the issues that parents and students and teachers know will make a difference, we can change what is happening in our country today. We have a responsibility to do that.

Thank you, Mr. President.

I retain the balance of my time.

The PRESIDING OFFICER. Who yields time?

Mr. COVERDELL. Mr. President, I yield up to 10 minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Thank you, Mr. President.

I thank Senator COVERDELL for bringing some creativity into our public education system.

If you talk to parents and teachers in America, it is clear that many of them are frustrated, because they are not satisfied with the education children are getting in our public schools. So we can take one of two approaches to address this problem.

We can take the approach that we will continue to just go along as we have been year after year after year while the money spent on education goes up and up at the same time that test scores go down and our nation's children are increasingly unable to compete. We can do that. But we don't have to.

We have today an opportunity to bring some innovation into our public school system. We can give parents and their children more options and more opportunity at success. That is what the Coverdell bill does, and I thank the senator for his leadership in shepherding this bill through Congress.

This bill adds options—options for parents to give their kids a better chance at success. Under the Coverdell A+ bill, parents will be able to save after-tax dollars and use those funds on a tax-free basis for a whole variety of K-through-college education expenses. Even grandparents can contribute to these education savings accounts. As the cost of college in particular continues to climb, this added savings tool for parents will become essential for more and more American families. But in addition to enhancing the ability of families to save for college, the bill also addresses the need all parents have of supporting their children's elementary and high school education.

I heard Senator BINGAMAN talk about the dropout rate among Hispanics. I am alarmed at that statistic. But I don't understand, knowing that we have this problem, why we can't go forward and say what will take innovative steps to help make our kids more motivated and more able to succeed in school. What can we do?

The Coverdell bill gives families options they do not presently have. It allows parents to set aside an extra amount of money, up to $2,000 each year, to enhance their elementary and secondary education opportunities for their children. One option they will have is to then use that money, tax-free, for private or parochial school, if they feel that is the atmosphere that will be best for their children.

Parents would also have the option of adding tools to enhance their child's education in public school, like buying the child a computer. That would be allowed in the Coverdell bill, and buying a child extra books so that the child can go beyond just what is in the classroom and enhance his or her knowledge; even buying band uniforms, because we know that children who participate in extracurricular activities are the ones most likely to stay in school, to be interested and to do better in school. In fact, we have seen that children who have arts classes do better in the other classes as well. So buying school-related art supplies would be another option that is conceivably allowed under the Coverdell bill.

So as we witness the continued underperformance of our public school system, we are offering through this bill originality and creativity that will save children who might otherwise be lost in the present system.

I am particularly pleased that the conference committee kept my amendment that passed on the Senate floor by a 69 to 29 vote to allow the option of public, single-sex schools and classrooms.

This is not a mandate, of course. But many parents try to send their children to single-sex private schools because they think they will have a better chance in that environment. In fact, many studies show that for some children, single-sex education is their best chance at academic and life-long success. In a single-sex environment, hundreds of thousands of America's children have reported that they are allowed to excel, flourish, and grow, because they are not hampered by the distractions and disruptions that are found in many coed environments.

I am pleased that we have in our education budget an innovative education reform program. It is called title VI. Title VI funds a wide variety of education reform projects, almost anything a school, community, or state feels will be in the best interests of their children and will help improve students' academic performance. And the Department of Education can give grants for these innovative programs.

What my amendment and this bill will do is specifically include single-sex schools and classrooms as one of the innovative education approaches that can be funded under Title VI.

We have an example that has gotten wide notoriety of late. It is the Young Women's Leadership School in East Harlem, in the New York City public schools. This is an elementary school. This school has a 90-percent attendance rate, one of the highest in the New York City public schools. They are well above the average in test scores in both math and English. When interviewed, the girls who go to this school say they love going to school; they feel safe there. And they are excelling. This is a success story.

However, the bad news is the ACLU and the National Organization of Women are suing to close this school, and have filed a complaint with the U.S. Education Department to cut off all the school's federal funding. They say the school violates the constitutional equal protection clause and Title IX of the 1972 Education Amendments Act. In addition to the obvious question of why in the world anyone would want to close this school down when it does so much good for the young girls who attend it, these groups' legal arguments are absolutely wrong. Title IX and the equal protection clause were intended to be protection against discrimination, not against educational enhancements for students who choose to learn in an environment where they can excel. In fact, in the amendment that is in the bill before us, it specifically states that one can offer options of single-sex classes or schools only if comparable opportunities are given for the other sex. That standard is fair, and that standard will protect against any possible discrimination against one sex or the other. In fact, that is why the state of Virginia lost in its defense of the previously all-male Virginia Military Institute, because the state did not offer a comparable educational opportunity for women. Time after time we have seen the courts uphold single-sex schools.

What we want is for every parent in our country to have the same option that a parent who can afford a private school has. The parent who can afford a private school can choose among all the options—single-sex private schools, single-sex parochial schools, coeducation at parochial schools or private schools. They have these options. Parents of public school students do not. This bill and my amendment will allow every family to make these choices and do what is best for their children.

Mr. President, I am very proud that I am a product of public education. I think free, public education is what makes this country different from every other country in the world, because we open our educational system to every child. Why not offer even more opportunity to every child and thereby improve every child's chance to achieve the American dream?

That is what the bill before us does, and that is why I strongly support this bill. I hope it will pass by an overwhelming margin, and I hope the President will see that the bill's benefits to America's families are so great that he could not possibly veto this legislation and halt this historic opportunity to give parents and their children more and better education options.

I thank the Chair. I thank Senator COVERDELL.

Mr. TORRICELLI addressed the Chair.

The PRESIDING OFFICER. Under the previous order, the Senator from New Jersey is recognized to speak up to 15 minutes.

Mr. TORRICELLI. I thank the Chair.

Mr. President, first let me say at the end of this long road how pleased I have been to work with the Senator from Georgia. He has reached across

the aisle to Senator FEINSTEIN, Senator BREAUX, Senator GRAHAM, Senator LIEBERMAN, and others in making this a genuine bipartisan effort. I admire his leadership and appreciate very much his extended hand that has brought us to this day.

Mr. President, I want at the outset to begin, even at a moment of some personal satisfaction, by stating some considerable disappointment. The 105th Congress was to be the ''Congress of education,'' the time in which America was going to finally face the reality that the great variable in American life is the quality of the education we are affording our children. Recognizing that with a quality education accorded to our children everything—at a time of global competition and rising technological standards—is possible and without it everything is in peril, the President challenged Congress to take leadership in the rebuilding of our schools, the raising of standards through voluntary testing, and the hiring of new teachers to reduce class size. Perhaps this was done because the President, like all of us, recognized that it is late. Forty percent of American fourth graders are failing to attain a basic level in reading; 40 percent of eighth graders are failing basic tests in mathematics. In math and science, America ranks 19th of 21 industrial nations.

Thomas Edison once noted that ''discontent is the necessity of progress.'' Every Member of this Senate should feel discontent because in the year of education, the Congress that was to take up all of these challenges has failed in all but this one last chance.

The Senator from Georgia, Mr. COVERDELL, has worked in the last year to bring before this Congress a simple, a modest but nevertheless an important addition in the fabric of American education, the A+ savings account. This provision returns to the Senate floor from a conference committee without any of the objectionable amendments that I and my Democratic colleagues rightfully found both disconcerting and, indeed, contrary to the efforts to improve educational quality in America. All that remains is the simple and bipartisan effort to provide for working American families the chance to save their own money to educate their own children in the school of their choice.

It is simple, it is direct, but nevertheless it is important. Taken in its most basic form, this is an invitation for $12 billion of new money to enter American education. My colleagues, that cannot be bad. At a time when American schools struggle to pay teachers, to repair themselves, to improve curriculum, new money—without a dollar of taxpayers' contribution—all given voluntarily by American families, cannot be bad, and yet there are objections.

It is claimed that this will be, as you will hear on this floor in the debate to follow, a diversion of public resources, a threat to the public schools. My colleagues, not a dollar, not a dime of public money is being taken from the public schools—nothing. It is all private money. Whatever the public schools got yesterday, after this bill becomes law, they will get tomorrow.

Then it is argued, well, it may not be a diversion from the public schools, but it will help a privileged few.

Mr. President, on the contrary, this Senate last year argued, in establishing almost identical accounts to educate college students, that we should put a cap on this tax benefit—$90,000 for a single parent, $150,000 for a married couple. Under this proposal by the Senator from Georgia, we have adopted the identical income caps—not for the privileged few but for working-class families who want to contribute to the education of their own children.

Like the Senator from Louisiana, Mr. BREAUX, I make no apologies. How many Members of this Senate line up on the Senate floor to either have programs designed for the poor or the privileged few, tax benefits for the rich, or Government programs for the poor? Finally, there is a chance to stand on the floor of this Senate Chamber to help the education of working middle-income, middle-class Americans. And that cannot be bad.

Then it will be said, ''Perhaps it doesn't help the privileged few, and perhaps it doesn't divert money from public education, but it doesn't help everybody.'' If Senators come to the floor to object to every piece of legislation because it doesn't help everybody, they will have a frustrating experience in this Senate. I learned a long time ago never to make the perfect the enemy of the good. We help as many people as we can in each instance when we can, and that is exactly what the Coverdell legislation does.

Mr. President, 70 percent of the families who will benefit from these tax-free savings accounts will be families who earn under $75,000 a year—70 percent. That is the vast majority of the American people. Does it include everybody? No. But the vast majority of Americans will have an opportunity to save under these A+ savings accounts.

Who are these families? And how will it help? In one of the great ironies of this legislation, 75 percent of those families who will benefit now have their students, their own children, in public schools. The greatest beneficiaries are public school students, simply because the overwhelming majority of American students go to the public schools. Under our legislation, the money in these savings accounts can go to buy a home computer, school uniform, and afterschool activity, a school band instrument, books, or—most important, in my judgment—the hiring of a public school teacher after school to be a tutor to a public school student struggling in math or science.

There was an article in the Washington Post a few weeks ago, quoting a young woman, Tiffany Johnson, a high-school senior in Maryland, who said, ''It's totally impossible to function [in school] without a computer. . . . It's a big handicap not to have one at home.''

Mr. President, 61 percent of all public school students in America today are doing their homework and their school work with no computer—unless they are a minority student. If they are black or Hispanic, 85 percent have no access to a home computer, creating a new stratum in American education that is potentially dangerous economically, educationally, and socially. It is not simply that the A+ savings accounts are the best idea to get computers in the hands of these students, it is not they are the best idea, it is the only such idea before this Congress, because these accounts will allow public school students to purchase that new tool of education.

Then there are those 10 percent of Americans who choose to send their children to private schools. There is a benefit here for them, too, in helping to ease the burden of tuition. In the great cities of America, from New York to Los Angeles to Chicago to Newark and Miami, the parochial private schools in America today almost uniformly are designed to help the working poor. Mr. President, 65 percent of the students in Newark and Camden in parochial schools are black and Hispanic. Their tuition is $1,500, $1,600, $1,800 a year. It cannot be bad that these middle-income, working-class families, struggling to pay these tuitions in these cities, who want an alternative to the public schools, get a chance to save their own money tax-free to pay that tuition.

It is no coincidence, in my judgment, in the last few years in the House of Representatives, the principal Democratic sponsor of this legislation was former Congressman Floyd Flake who, in the heart of Queens, took an African American church, built a school based on people's own savings in a struggling working-class neighborhood, and now says that this, and this singularly, could help those families pay this tuition bill. This is a community that asked for nothing from the Federal Government but to rebuild itself with its own resources. Mr. President, I come here today with the same belief—$12 billion in resources from working families to educate their own children, public and private.

But there is one more thing that is, to me, as exciting as any of these statistics, impacting any of these neighborhoods or communities, and it is this. I remember a time in America where the education of a child was a family responsibility. Communities rushed to choose school board members; parents came after school; grandparents were involved in the grades and the homework. Somehow, in the last generation of America, we decided that education was now the province of bureaucrats and unions and everybody but parents and families themselves.

Senator COVERDELL and I, I hope, if we create nothing else with this legislation, we have provided an invitation to get them back involved in American education, because from the birth of a child these savings accounts are available to grandparents at birthdays, aunts, uncles, churches, unions, employers, to put money in these accounts where everyone is involved, again, in preparing for a child's future. If that money is not used in high school or grade school, every dollar of it can be rolled into a savings account for college that we established last year in the Senate under the leadership of President Clinton.

I believe it is a compelling case. It is not a perfect answer. It does not solve every educational problem in America. But it is an important, if modest, beginning in a great debate.

I have a great hope for this Senate, a great hope, that in the next decade, Democrats, Republicans, liberals, and conservatives will be involved in a fierce competition for who has the best ideas to rebuild American education; who can challenge the American people to do the most for rising standards, greater access to opportunity; who can reach into the heart of our cities and challenge parents that I, and I alone, have the best idea for your child.

This is the beginning of that debate. From here, we can go to school construction, lowering class size, national testing, a host of ideas. And, in spite of my alliance with the Senator from Georgia on this issue so that we have made this bipartisan, I want my party to win that fight. And I believe we can. I think we have the most ideas. I think we have the best ideas. But this idea, nevertheless, is a good idea and it is a beginning. I hope when we vote in a short period of time, we can act together.

Oliver Wendell Holmes, Sr. once said ''. . . the greatest thing in this world is not so much where we stand, as in what direction we are moving.'' This legislation, A+ savings accounts, has America moving, if modestly, in the right direction. I am enormously proud to have been part of this effort. I am grateful to the Senator from Georgia for his leadership and to my Democratic colleagues for participating in what has become this bipartisan effort. I urge my colleagues, by an overwhelming vote, to give their approval to the conference report.

I yield the floor.

Mr. GRAHAM addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida. Under the previous order, the Senator from Florida is recognized for up to 20 minutes.

PRIVILEGE OF THE FLOOR

Mr. GRAHAM. Mr. President, I ask unanimous consent, first, that Mr. Mark Williams, a congressional fellow in my office, be allowed floor privileges for the balance of the debate on this conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Second, I ask unanimous consent that any of the time which I have been allocated but which will be unused will be returned to the minority floor leader of this legislation.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. GRAHAM. Thank you, Mr. President.

Mr. President, I supported this bill when it passed the Senate several weeks ago. And I regretfully rise to oppose this conference report. As has been said by several of the speakers, there are many positive elements in this legislation. I am particularly supportive of those, for instance, which will make it easier for families to plan and prepare for the college/university education of their children and family members through things like the education savings account and the prepaid college tuition plans which Florida and several other States have established. Those are all positives.

When I face legislation at the final vote, there are two questions that I ask of myself. One is, Is this legislation better than the status quo? And, second, If it is better than the status quo, is it sufficiently an improvement to justify the investment of public attention, political energy, and the likelihood that, should this become law, it will be considered this Congress' final statement on this subject?

I find this bill, as it returned from the conference committee, to fail to meet that test. I think this bill is too minimalist in terms of its capacity to identify those major challenges that face this Nation, in terms of education, and to construct an appropriate Federal policy to move us forward in an area that will probably, more than any other, determine our Nation's status into the 21st century—the education of our people.

I believe that this legislation in the conference committee lost its focus. It did not return with the balance that it had when it left this Chamber. I am particularly concerned about the issue of school construction.

Admittedly, I come from a State which has experienced a dramatic increase both in new students entering our school system—40,000 to 50,000 new students every year entering the public schools of Florida—and a State which is reaching a point of maturity where many of its older schools are requiring substantial rehabilitation. And almost all of our schools require the new technologies to bring them up to current standards of educational modernity.

In this legislation, as it left the Senate several weeks ago, there was what I thought was a creative provision, which received broad support in the Senate, which would have encouraged public-private partnerships in the construction and rehabilitation of schools. It would have used a financing technique, called private facility bonds, which has been used effectively in areas such as water and sewer, transportation, and housing for public school construction.

Ironically, a provision almost identical in final impact to what was contained in the Senate version is now being used for private elementary and secondary construction. But for reasons which are inexplicable to me, the conference dropped that provision and therefore will deny, through the Federal Tax Code incentives, the opportunity for many school districts that are facing enormous pressures to be able to utilize that technique as a means of building and rehabilitating schools.

I hope that when we come back to this issue—and that hope is that we will return before this Congress adjourns—that the central role of adequate school facilities in achieving adequate education, and the role which the Federal Government can play creatively in helping us provide those adequate physical facilities, will be reexamined.

I am also concerned, Mr. President, as to a provision which was dropped at the front door but seems to have reentered at the back door relative to block grants for Federal education.

Since the 1960s, the Federal Government has focused its attention on education in three primary areas: One, civil rights; two, the at-risk student, whether that was a handicapped student, a student from a disadvantaged background, or other factors which made that student a greater educational risk and generally a more expensive student to educate than the general student population; and, third, access to higher education through a variety of Federal grants and loans.

There was a provision which many of us objected to which would have provided that those carefully crafted, long-standing pillars of Federal education policy would be collapsed into block grants. I am pleased that that attack through the front door was dropped. But I am concerned that there still is in this legislation an attack through the back door.

I bring your attention to page 12 of the report which outlines the legislation. And under the category of ''State Incentives For Teacher Testing And Merit Pay,'' the first section talks about State incentives through a grant program for teacher testing and merit pay.

I would like to say, as an aside, personally, while I was a member of the Florida State legislature, and later as Governor, I supported concepts of teacher testing, both upon entry into the profession and while in the profession. And we established what we called a career ladder, which was a form of recognition of the superior teacher. So I am, as a matter of policy, inclined to support the principles.

But what concerns me is a provision that says, under paragraph (e), ''Notwithstanding any other provision of law, a State may use Federal education

funds—to carry out [these two purposes of teacher testing and establishing a merit pay program for teachers].''

As I read this, what we are saying is that we have returned to this concept of a block grant by saying that a State, without any other constraints, because ''notwithstanding any other provision of law''—it is not limited to elementary, secondary funds, but all education funds—vocational funds, higher education funds, elementary, secondary funds, maybe even funds for specialized programs such as veterans educational benefits—that a State can collapse all of those funds into a block grant for the purposes of teacher testing and establishment of a merit pay plan. I think that is a very bad educational policy and, in and of itself, makes this conference report unacceptable.

So, Mr. President, I reluctantly will oppose this legislation. I do so in the hope that when the President has exercised his stated intention to veto this legislation, and we are back to ground zero with what should the Congress do relative to a Federal role in enhancing our Nation's educational opportunities for its children and for its adults, that we will come back to this task with a new spirit of bipartisanship, with a commitment to a clear diagnosis of what are the principal shortfalls in our education system, and what the Federal role should be in attempting to overcome those deficiencies.

There is no task more important to our Nation, as we face a new century, than a renewed commitment to education. It will be the key to our ability, in an increasingly globalized economy, to be able to maintain the American standard of living while we are also competitive in the world economy.

The only means by which we will do so will be to assure that each American is as fully prepared to be as productive and as contributing towards our total economy and our total society as they can be because we have given them the opportunity of the best possible education.

Mr. President, again, I regret that we are not able to move forward with this legislation today, but I commend the Senator from Georgia for his very genuine interest and his leadership in this area, and hope that leadership will soon be rewarded. Thank you.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. Mr. President, I am sorry to hear that the Senator has come to the conclusion he cannot vote for it. As he knows, I did agree with him on the school construction component and was outvoted. I thought the Senator made a good contribution to the legislation. I yield up to 5 minutes from our side to the distinguished Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. D'AMATO. Mr. President, I rise today in strong support of the Education Savings and School Excellency Act that is embodied in the conference report which is before the Senate today. I take the opportunity to congratulate and commend Senator COVERDELL for his leadership and, indeed, a bipartisan leadership of Democrats and Republicans attempting to deal with the most important area that we face as a Nation, and that is improving the educational opportunities for our children. That is critical. This bill makes a great contribution to education in a number of areas.

First, it gets parents more involved in educational decisions by increasing the annual contribution limits into a child's education savings account. I can't think of anything better. There are some people who don't want to do that. I don't know why. Why wouldn't you want to give people of modest means the ability to provide for the educational choice that they decide is best for their child?

It increases those accounts from $500 to $2,000, and the bill allows a parent or a grandparent to really make an impact on a child's education. More parental involvement is an absolute critical piece of the educational puzzle. We must do everything we can to give parents more power in education, and that is what this bill does, because when parents have input into educational decisions, the children are winners. It seems all too often that we are worried about everybody but the children. That is what it comes down to. This bill helps parents and children.

In addition to more parental involvement, another critical education reform relates to teachers. We simply must make sure that all teachers are competent in the subjects they teach. Most teachers are, and, indeed, we have dedicated, great teachers who make magic in the classroom. That is why there are particular important provisions in this bill that give to States and will give to local school districts the ability to reward the great and the outstanding educators in the classroom by making merit pay available.

Why not give to the best and the brightest? And why not allow local school districts, working with their teachers, working with their local school boards the opportunity to design programs to do exactly that? Give the best and the brightest the compensation they are entitled to; reward them with merit pay.

Secondarily, why shouldn't we see to it that every teacher who teaches our children is competent and proficient in the subject matters that they are teaching? We can't pay the great teachers enough, but we should attempt to find a system that does reward them. In addition to that, outstanding performances should be recognized.

I am pleased to see that the conference included the merit amendment that Senator MACK and I offered. Indeed, one of our colleagues spoke to it just recently and indicated, wouldn't it be terrible if local school districts could actually draw revenues from other areas for this purpose. I think it is great. Why shouldn't they be able to make that decision? Why shouldn't they set up a system that rewards the competent teachers? Why shouldn't they set up a system where there is regular testing every 3 to 5 years to ascertain who is the best and who is the brightest and who is doing the work for our children?

When we look at reforming our public schools, one thing must always be kept foremost in our efforts: We must put our children first. Our children are the best and the brightest, and they are our most precious resource. A fight to reform our education system is a fight for America's future.

Our children are depending on us, and it is clear that parental involvement, merit pay, teacher competency testing are necessary if we are going to give the children the education they need. The time for talk is over; the time for action is now.

Again, I commend Senator COVERDELL for his outstanding leadership and his dedication to this process, because that is what this bill begins. It is not going to solve all the problems, but it really begins to make a difference and begins to address the area of increasing parental responsibility, giving them the opportunity to make resources available, and to also local districts and States, giving them the opportunity to provide those great teachers with the merit pay to which they are entitled. I yield the floor.

Mr. ROBB addressed the Chair.

The PRESIDING OFFICER (Mr. GRAMS). The Senator from Virginia.

Mr. ROBB. Mr. President, I yield myself 3½ minutes off time chargeable to the minority leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBB. Mr. President, I rise in opposition to the conference report, but let me say to the distinguished Senator from Georgia and others that I appreciate the bipartisan effort and spirit that has gone into it in an attempt to formulate a bill that could receive bipartisan support. Indeed, it is evident on the floor today that it has some bipartisan support and will pass by a significant margin.

Let me say also, I agree with the concerns mentioned by the Senator from Florida with respect to some changes that took place in the conference. The Senator from Florida and I served as Governors of our respective States in the early eighties, along with the current President, the current Secretary of Education and others, and all of us had education as the very top priority in terms of things that we were doing.

Let me say with respect to this bill, though, it is, again, about priorities. It is not that this bill does bad things. I continue to support many of the things, and certainly encouraging parents to save for education, but if you only have $1.6 billion to spend in terms

of the Federal participation, it seems to me it makes more sense than to spend it on a tax cut that would be about $7 per family to those who are in the public schools and $37 a family in private schools, to spend it where it is most needed.

If 90 percent of our public schools are either in need of repair or overcrowded, we ought to spend that money in terms of building or repairing schools. We ought to spend that money to hire more teachers, and if technology is as important in the world economy today as we know it to be—indeed, as we speak, the World Congress on Information Technology is concluding just across the river with nations throughout the world that are here to discuss information technology—we ought to be spending the money to try to assist schools in connecting to that information technology that is going to be so critical to their future.

I believe if we want to continue to support public education, which I believe is our principal responsibility, then we ought to spend it on those most critical needs, notwithstanding the fact that this bill, as it currently exists, does some good things for education, but it doesn't do the kind of things that, if we only have $1.6 billion to spend, I believe we ought to do.

With that, Mr. President, I yield whatever time I have remaining to the distinguished Senator from California.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, if I could ask a question, it is my understanding that Senator KENNEDY has 10 minutes of his own time.

Mr. KENNEDY. I will take 8 minutes.

Mrs. BOXER. I think I have 4 minutes.

Mr. KENNEDY. I will be glad to yield; if I could have 8 minutes, I yield the other 2 minutes.

Mrs. BOXER. That would be wonderful.

Would the Senator from Massachusetts like to go next?

Mr. KENNEDY. I am happy to have the Senator speak.

The PRESIDING OFFICER. The Senators have 12 minutes collectively.

Mrs. BOXER. Senator DASCHLE gave me 3 minutes of his leader time, so I have 3 minutes from him, the time remaining of the Senator from Virginia, and 2 minutes from the Senator from Massachusetts; what might that add up to?

The PRESIDING OFFICER. The Senator is recognized for up to 7 minutes.

Mrs. BOXER. Thank you very much.

Mr. President, we had such a golden moment in history here in the Senate to do something for our children. Finally, after both parties talked about how much we care about our kids, we had a chance to pass a bill that did something to help them. We had the opportunity to pass an education bill that addressed the real issues that face parents and children every single day. We know what those are.

Kids have nothing to do after school. They sometimes go home to an empty home. We know afterschool programs are critical for these children. We know they lift up those children. We know it improves their scores when they have afterschool programs. The police tell us it keeps them out of trouble at a time when the juvenile crime rate soars. So we did nothing about that. I offered an afterschool amendment on that on the Coverdell bill. We lost by two votes. The people on the other side who today say they are doing so much for education couldn't support afterschool for our kids.

We also know class sizes are too large. We could lower those class sizes. We had such an amendment to the Coverdell bill; down it went. And the amendments that did pass on school construction and dropout prevention, which were offered by people on our side of the aisle, were dropped in conference like a hot potato.

So what comes back to us today? A $7-a-year tax cut for people who send their kids to public school, a $37 tax cut for people who send their kids to private school. This leaves unaddressed issues that face parents and children.

I didn't come to the Senate to be able to go home and say I voted for an education bill just for the sake of saying I voted for an education bill. There is not anything to this bill. ''There is no 'there, there,'' as someone once said. We can go home and claim we did something, but I wouldn't do that. I don't want to squander money on things that don't really make a difference in the lives of the people who I represent.

We need to fix up our schools. To hear my superintendent of public instruction back home talk about it, these kids are learning about gravity because the ceiling is falling down on their desk. They are not learning about it from a textbook. But we do nothing. We walk away.

I heard my friend from New Jersey, who is supporting this bill, talk about these issues. He made the best speech I ever heard on education, except nothing that he said is in this bill. What is the point in voting for a bill that takes over $1 billion away from funds we could use for education and gives so little benefit? It really seems to me it is a poor excuse for an education policy.

I am not going to vote for this bill today just to say I voted for something. Education is the No. 1 issue in my State. I came here to make a difference in the lives of the people of my State. If we are going to spend $1.6 billion; it better be on something that helps those children.

In the end I think the President is not going to support this bill. The President has been a very strong leader for really doing something for our children. He calls for tough national standards. That is not in this bill. He calls for afterschool programs. They are not in this bill. He calls for school construction. That is not in this bill. He calls for putting 100,000 new teachers in the classrooms. That is not in this bill.

Some say this is bipartisan. To some narrow extent, it may be but those supporting this bill did not really reach out and sit down with our President. When he was Governor, education was his No. 1 issue, and he tried some good things. We could have had a bill before us that he supported, that we supported, that could have become a good law. We could have had a bill where I could go home and look at kids' eyes in my State and say, ''I just did something to make your life better, to give you a good quality education.'' I cannot do that today. I am extremely disappointed, extremely disappointed.

I hope I live to see the day that we have an action plan for our schools, an action plan for our families, an action plan for our children so I can go home and be proud that I really did something about education.

Mr. MOYNIHAN. Mr. President, President Clinton long ago announced his intention to veto the Education Savings and School Excellence Act. For reasons I will describe in a moment, I oppose this bill and agree with the President's decision to veto it.

However, apart from the merits of the legislation, I do want to thank Chairman ROTH for insisting that the appropriate place for initial consideration of the Coverdell legislation was in the Finance Committee, not on the floor. This legislation was reported by the Committee on February 10, 1998, by a vote of 11–8.

This is one of those infrequent occasions in which Chairman ROTH and I disagree on a policy matter. The good intentions of the proponents of expanding the availability of education individual retirement accounts are clear. However, in my view the proposed changes to the education IRA provisions, passed just last July and effective on January 1 of this year, are fraught with serious policy and technical defects. Secretaries Rubin and Riley have expressed strong opposition to the education IRA provisions in this bill, and President Clinton agrees with their recommendation that he veto this conference agreement.

In a letter to members of the Finance Committee dated February 9, 1998, the Secretaries of the Treasury and Education stated that the education IRA provisions in this bill would disproportionately benefit the most affluent families and provide little or no benefit to lower and middle-income families. In addition, they indicated that the provisions ''would create significant compliance problems.'' In a letter to Speaker GINGRICH dated June 16, 1998, President Clinton states ''If the conference report on H.R. 2646 is presented to me, I will veto it because the A+ accounts that it would authorize are bad education policy and bad tax policy.''

Treasury Department analyses conclude that 70 percent of the tax benefits from this provision would go to the top 20 percent of all income earners. In

a memorandum of March 2, 1998, the staff of the Joint Committee on Taxation estimates that 52 percent of the tax benefits of the enhanced education IRA provision would to 7 percent of taxpayers: those with dependents already enrolled in private primary or secondary schools. The Joint Committee memorandum indicates that the per tax return benefit for taxpayers with children in private schools will be five times greater than the benefit to taxpayers with children in public schools.

This bill will not result in greater opportunity for middle and lower income families to send children to private schools, as supporters contend. Instead, it will merely provide new tax breaks to families already able to afford private schools for their children. If the proponents are truly concerned about the middle class, the tax benefits should be targeted there. In order to accomplish this, the income limits would have to lowered, and the ability to circumvent those limits would have to be prevented.

Nor will this legislation result in an increase in national savings. The expansion of the education IRA will provide further incentives for taxpayers to shift money to tax-favored accounts, and to spend funds that would otherwise be used for retirement.

Further, the additional complexity these new provisions would add to the Internal Revenue Code is of real concern. Taxpayers are just beginning to become aware of the hundreds of changes made in the 1997 tax bill. And now we are considering additional changes to a provision that became effective on January 1, 1998. More confusion for taxpayers; a boon for H&R Block.

A week after a vote in the House to terminate the Internal Revenue Code for among other things its mind-numbing complexity, we have before us a bill that would create a maze of rules in attempting to define what constitutes as ''qualified elementary and secondary education expense.'' For example, the bill defines such expenses to include computers and related software and services, but how is the IRS to monitor whether a computer (or the use of the Internet) is used by a child for educational purposes or for entertainment, or by the child's parents for unrelated purposes?

Under this bill, the ability to contribute up to $2,000 per year in an account for elementary and secondary education expenses would sunset after 2002. However, money contributed through 2002 could still be used for such expenses. There will be different rules depending on whether contributions were made in 1998, 1999 to 2002, or post-2002. It will be up to the taxpayer to track—and the IRS to examine—when funds were contributed, the earnings on those funds, and whether they can be used for only higher education, or both elementary and secondary education and higher education. Who will understand these rules?

Mr. President, we are already spending enough on IRAs and other tax-advantaged savings vehicles. At a cost of $40 billion over 10 years, the Taxpayer Relief Act of 1997 created the Education IRA and the Roth IRA, and significantly expanded existing IRAs and the tax benefits of State-sponsored prepaid college tuition plans.

Having said all of that, I must also express continued bewilderment at the opposition by the House of applying the income exclusion for employer-provided educational assistance, which is section 127 of the Internal Revenue Code, to graduate students. The conference agreement extends the income exclusion for undergraduates, but once again fails to restore such treatment for graduate studies.

Section 127 is one of the most successful Federal education policies we have. A million persons per year are provided tax-free higher education by their employers; about a quarter of those are students enrolled in graduate-level education courses.

In a world of continuing education, section 127 permits an employer to send an employee to school to learn something new, get a degree, and bring the skills back into the workplace. The employee gets more income, and the Federal Treasury gets more tax revenue. This is a program that works, and it administers itself.

This is a repeat of what took place last year. The Senate version of the Taxpayer Relief Act of 1997 would have made this absolutely easy; it made section 127 permanent for both undergraduate and graduate study. For reasons I will never understand, the Senate language was dropped in conference.

Finally, I appreciate Chairman ROTH'S good faith efforts in working with members on both sides to try and come up with measures designed to address the issue of school infrastructure. Last year, Senators CAROL MOSELEY-BRAUN and BOB GRAHAM brought the issue of crumbling schools to our attention, and they continue to be the leaders in the effort to address this serious problem. Most of use would prefer not to address this issue via the Tax Code, but previous attempts at more direct solutions have been opposed. I am afraid that such opposition has resulted in the nominal tax provision we find in this bill to address a problem that is estimated to cost at least $112 billion—a figure that does not include the cost of building new schools.

Mr. MURKOWSKI. Mr. President, I rise to speak in favor of the conference report on the Education Savings and School Excellence Act.

Mr. President, whenever I return to Alaska, the one issue I consistently hear about is the state of public education. I think it is fair to say that Alaskans and all of the American people are extremely concerned that despite annually spending hundreds of billions of dollars at the federal, state and local level, our educational system is failing. The simple fact that 78 percent of all two and four-year colleges offer remedial courses in math, reading and writing, suggests that many high school students are being short-changed in their academic preparation for adulthood.

The conference report before us raises the amount that parents and grandparents can contribute to education savings accounts from $500 to $2,000. Most importantly, it allows parents to make the choice to withdraw these funds tax-free for use either in college or in grades K through 12.

Although modest in scope, these education savings accounts will give real choices to lower and middle income families who believe their children's best chance for the future lies in gaining an education in a private school.

Income limits insure that the benefit of these education savings accounts are focused on middle income families. Wealthy families most often do not need to use these education accounts because they can easily afford the cost of private K–12 tuition and because the tax base in wealthy communities often provides the best possible public education in the country.

But middle and lower income families don't have the same choices that the wealthy have when it comes to education because they don't have adequate resources to pay private tuition. Allowing these families the choice of using funds in an education savings account for K though 12 schooling, could enable families with modest incomes to send their children to the school where they believe their child will get the best preparation for college.

What's wrong with that, Mr. President? If educational savings accounts can be justified for college tuition, shouldn't they also be allowed for the education expenses that give a child the opportunity to apply to college?

Mr. President, this conference report contains an important provision that will benefit many families in Alaska. Under this measure, distributions from qualified state tuition programs, like Alaska's will be tax exempt if the proceeds are used for college or graduate school expenses.

Finally, Mr. President, I am pleased the bill extends until 2002 the $5,250 per year exclusion for employer-provided educational expenses. However, I would have preferred that this exclusion would have also applied to graduate student expenses.

Mr. President, I would hope that this win-win education bill will be signed by the President. It promotes greater choice for families in selecting their educational options for their children at a time when families are demanding greater accountability from all of their educational institutions.

Mr. KOHL. Mr. President, I rise today to express my intention to vote in favor of the conference report to the Coverdell education savings accounts legislation. I do not believe that this alone will save our nation's education

system, and I realize that this bill will only provide limited help to a very small percentage of students. But I believe it is one small step we can take to help improve education in this country, and that it will open the door for a discussion of other new approaches.

Let me state unequivocally that I strongly support our public school system. I believe we should be doing much more to help States and local school districts address the challenges they face in improving public schools. Over 90% of our nation's children are educated in public schools, and we must not abandon our efforts to help educators, parents and communities provide the best education possible.

Unfortunately, it is becoming apparent that despite our best efforts, we are not doing the best we can for our children right now. Too many of our children are falling behind and performing below their potential. Too many schools are in need of repair or modernization. Too many students are bringing guns and drugs to school. Too few classrooms have access to technology, and too few teachers have the training necessary to help students succeed in an increasingly global, technology-based economy.

Clearly, it is time that we take a look at some new approaches to improving education. The status quo is unacceptable and we owe it to our children to do better. I initially opposed the Coverdell legislation in part because it included two amendments that I strongly oppose. Both amendments—one that would block grant one-third of Federal education programs, and another that prohibits the development of voluntary national tests—were dropped in conference. I am pleased that the conferees decided to omit these amendments, which I believe would have seriously undermined our commitment to public school students.

Now that these two troubling amendments have been dropped, I have decided to support the Coverdell legislation. While this legislation will not solve all of the problems in public schools, it provides limited assistance to families that choose to use their own money to decide what type of education their children receive. I realize that it will only help a small number of families, but limited doses of competition could help encourage all schools to strive to do a better job. In addition, this legislation sunsets after five years. If, at that time, it is clear that this approach has not worked or has harmed public education, Congress can decide not to reauthorize this program. But I believe that there are benefits to trying this new approach now to see if it might contribute to the overall improvement of education in our country.

We certainly do not want to abandon public education, and I believe there are better ways to help public schools address the many problems and challenges they face. During the course of this debate, I voted for many alternative education proposals that I felt would do a better job at improving public education. I am still hopeful that the Senate will make other education reform proposals a top priority during the remaining months of this session. But so far, our nation's education system has failed too many of our children—we cannot ignore that fact. It is time to look to new and innovative strategies to improve educational opportunties in America. The Coverdell legislation could be a small part of that effort, but it is certainly not the only step we should take. I will continue to support a strong investment in our nation's public school system, and I look forward to working with my colleagues to make sure that happens.

Mr. KERREY. Mr. President, I rise in opposition to this conference report for the same reasons that I objected to the legislation when we debated it here on the Senate floor in March. But I do not take this vote lightly. How we educate our kids better is a serious issue. I know that in regard to the legislation proposed by Senator COVERDELL, I have a different opinion than my Catholic schools friends in Nebraska, Jim Cunningham of the Nebraska Catholic Conference and Sister Pat Mulcahey, superintendent of the Omaha Archdiocese. But when it comes to the core issue of whether we want to provide a better education for America's young people, Jim, Sister Pat, and I are always on the same side: Yes, we do.

First of all, let me say that I am deeply appreciative and respectful of the mission of parochial schools in Nebraska and throughout the nation. But I am also, and always have been, a strong supporter of public schools. I would support legislation that truly helped the vast majority of public school and parochial school parents improve educational opportunities for their children. I do not believe that this legislation accomplishes that goal.

Granted, this legislation looks better than it did when it was originally passed in the Senate. But I believe it is still flawed. This education IRA bill for K–12 expenses will add significantly to the nearly $75 billion annually paid by taxpayers in an effort to comply with the tax code. It is also an example of how Congress passes tax law without considering the cost of administering this new tax law and its real impact on the American taxpayers it is supposed to help.

Furthermore, it makes no real investment in those areas of education that are crucial to the success of our young people as they prepare to enter the workforce. In order to help more of our children achieve the American Dream, we have to equip them with the skills to do so. Technology programs, Title 1, and vocational education are where we need to focus our efforts.

And so I would urge my colleagues, if we truly want to help America's children get a better education, let's invest in programs that produce results, and let's make sure all of our students have the opportunity to benefit from them.

Mr. DODD. Mr. President, I rise today to oppose the conference report for H.R. 2646, the Education Savings Account bill.

I regret that I cannot support this legislation because it contains several provisions that I do, in fact, support. In particular, I support the provision which would expand the tax benefits of qualified state-sponsored prepaid tuition plans to include tax-free withdrawals for qualified educational expenses. In fact, the Conference Agreement goes beyond the Senate bill, and would allow private educational institutions to establish tax-favored prepaid tuition plans beginning in 2006.

I was also pleased that the Conference Report extends by 30 months Section 127 of the tax code to allow the income exclusion for employer-provided educational assistance for undergraduates until December 31, 2002. This measure is critically important to improving the knowledge and skills of our work force.

These particular provisions were adopted in a spirit of bipartisanship and with an understanding that they would provide clear benefits to college-bound students. Unfortunately, these provisions are just a small part of a much larger package which marks a step in the wrong direction for federal education policy.

At the heart of this bill is a proposal to provide tax-free savings accounts, funds from which can be used to meet the educational needs of elementary and secondary school students. Under the guise of ''increased choice,'' this proposal turns its back on our nation's long-standing commitment to our public schools.

These so-called education savings accounts would cost taxpayers $1.5 billion over ten years. In return for this significant expenditure, families will receive very little benefit. Families whose children attend public schools—which is to say 90 percent of all students—would receive just $7 annually. Families whose children attend private schools would receive just $37 per year.

Let me put that into context. In the Washington area, on average, one year of private school costs between $10,000 and $14,000. At those costs, this legislation provides very little assistance to the parents who would choose these schools for their children.

Clearly, we are in need of education reforms in this country that will create better educational opportunities for more children. But I don't believe that draining resources away from our public schools will advance the cause of reform one bit.

As we consider this legislation, I think that there is one important question that each member of this body should ask themselves. Aren't there better ways to spend $1.5 billion for our children's education than providing seven dollars a year to public school students? I believe that there are.

We could use that money to help hire new teachers and reduce class sizes

across the country. If a teacher has 25, 30, or 35 students in his or her class, those students are not going to learn as well as they could in a class with a lower student-teacher ratio. If we can make these classes smaller, we can greatly increase the learning potential of our children. The Democratic leadership has proposed committing resources to help hire 100,000 new teachers for kindergarten through third grade. If we made this investment, it is estimated that every K through 3 classroom in this country would have no more than 18 students. Unfortunately, the conference report we consider today does absolutely nothing to help hire these teachers and significantly reduce class sizes in this country.

We could use this money to help local communities meet the rising costs of special education. In fact, I introduced an amendment during the Senate debate on this bill to redirect its $1.5 billion cost to help state and local school districts meet the costs of special education. When Congress passed the Individuals with Disabilities Education Act in 1975, the federal government committed to state and local school districts that it would contribute 40 percent of the funds needed for special education. However, the federal contribution has never risen above 10 percent. It is estimated that states now provide 56 percent of the financial support for special education programs and services, 36 percent comes from local sources, and only eight percent comes from the federal government. The burden on local taxpayers is increasing dramatically with each passing day, and it will continue to increase as long as we continue failing to meet the federal commitment to fairly share these costs. I have spoken with many mayors, school superintendents, and other local officials seeking relief and assistance in meeting the expenses associated with providing the valuable services required by children who have special needs. Unfortunately, my amendment was defeated and these local officials are still in search of relief.

We could, additionally, invest the resources used by this legislation in school construction so children who currently attend schools in dilapidated and sometimes unsafe buildings could have a quality learning environment. In the richest nation in the world, we have schools that are literally falling apart. We have schools with broken heaters, bursting pipes, and leaky roofs. And beyond basic repairs, schools are also lacking electrical and telephone capabilities necessary to install computers in our classrooms.

One-third of all students in this country go to school in buildings that are considered structurally inadequate, and 60 percent of American students attend school in buildings that are in need of repair. In fact, the General Accounting Office has estimated that more than $110 billion is needed to repair our schools. Clearly, this is an issue that should be addressed.

This legislation is little more than a policy sleight of hand. It creates the illusion of reform without its essence. It offers a hollow promise of greater choice, and it delivers negligible benefits to American parents. The bottom line is that this bill is bad education policy, and it is also bad tax policy.

I realize that this conference report will likely be adopted by this body and by the House of Representatives. But it is my hope that it will be vetoed. I appreciate that my colleagues are working to find solutions to create better educational opportunities for our children. Unfortunately, I believe that the proposal before us is a misguided one that creates false hopes instead of real opportunities. This legislation would have a devastating impact on our public schools, upon which 90 percent of American children rely on for their education, and it would mark a missed opportunity to seriously address the education needs of this nation. I hope that this conference report does not mark the end of our efforts this year to improve education in this country, and that the Senate will be willing to work in a bipartisan spirit to develop more substantial and innovative education reform policies that support our public schools.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. I believe with the leader's time and the time available I have 10 minutes.

The PRESIDING OFFICER. The Senator has 11 minutes 20 seconds.

Mr. KENNEDY. I yield myself 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, in just a few moments we will be voting on the Coverdell conference report. The President of the United States has indicated that he will veto this measure, and he is entirely wise to do so and to call on us, the House of Representatives and the Senate of the United States, to act on the sound recommendations that he has made to improve public schools. But these recommendations are not just ones from the President of the United States, but from educators across the country. They have said that these recommendations outlined by the Senator from California are absolutely essential if we are going to strengthen academic achievement and accomplishment for the young people of this country.

Now, you cannot isolate what we are doing here on the floor of the U.S. Senate this morning from what our Republican friends did yesterday in the House of Representatives on education. You can't just separate these. We have the House and the Senate, combined; we are dealing with education policy and we are together addressing the issue of education in our society.

Now, today we are discussing legislation will spend $1.6 billion over a 10-year period to help private schools. We have gone through repeatedly, and the Joint Tax Committee has pointed out, that 7 percent of the American families send their children to private schools, and 93 percent send their children to the public schools. The benefit of this program will go where? It will go primarily to the private schools.

Now, let us look at what happened yesterday in the House Appropriations subcommittee on education matters. While we are being asked here to demonstrate our great interest in the cause of improving education for the nation's young people today, yesterday in the House of Representatives, Republicans zeroed out the summer jobs program for youth across this country—zeroed it out; $871 million, gone. Find me an educator in this country who does not believe that funding those summer jobs is light-years more important than the Coverdell program that is about a potential savings that will go primarily to private schools. Find me a single educator who says knock out the summer jobs program. But that is what our Republican friends did just yesterday, just yesterday, in the House of Representatives. They will deny 530,000 teenagers the opportunity to gain valuable work experience during the summer months.

What else did they do? Did we not hear last night and this morning about the importance of helping American students learn math and science? What did Republicans do yesterday? They cut back significantly the Eisenhower Math and Science Program. What does that program do? It upgrades the skills of math and science teachers. Upgrading the skills of teachers in the public schools is one of the most important investments we can make to improve student learning. What did the Republicans do? Slashed the program, the tried and true Eisenhower program, named after an important President of this country.

What else did they do? They cut the title I program by $400 million below the President's level. By not investing in Title I, the Republicans are denying help for those needy children who are having difficulty in school and are falling behind. It is an enormously successful program. While we are over here on the U.S. Senate floor, saying how we are going to have a breakthrough new program that is going to provide these brilliant new ideas in education, Republicans in the House are cutting back on the title I program that has been a mainstay for needy children in this country, which has had bipartisan support, and they didn't stop there, Mr. President. They cut $137 million from the President's request for educational technology programs to try to help the public schools that are crying out for computers and computer training. There are few high schools in this country that are up to speed and on the Information Super Highway. And by denying extra support for training teachers so they can use those computers and tie them into the curriculum, we are saying to the young

people that preparing for the modern workplace is not important

Mr. President, in these programs alone, Republicans slashed $1.8 billion yesterday of investment on tested, worthwhile programs. And Republicans today in the U.S. Senate are saying, ''We are doing the most revolutionary thing that we can for our public school students. We are going to provide $160 million a year in tax breaks for families.'' Which families? The Joint Tax Committee says it is families who are sending their kids to private schools. Mr. President, if the President is ever-wise and ever-conscious about the importance of vetoing a piece of legislation, this is it.

I was here last night and I listened to Senators that rose in support of the Coverdell legislation and talked about the great study that was done under the Reagan administration in 1983 called, ''A Nation At Risk,'' In listening to our colleagues who are supporting this legislation talk about ''A Nation At Risk,'' I wondered what the Nation At Risk report recommended? The fact is that the Nation At Risk commission recommended raising standards for student performance, devoting more time to learning, improving the quality of teachers, holding educators and elected officials responsible for providing leadership necessary to implement these reforms, and strengthening graduation requirements.

Under the leadership of President Clinton in 1994, we took those recommendations and made them central to the hallmark Goals 2000 legislation. Under Goals 2000, over 90 percent of the funds go to the local community to implement standards-based reforms. What happened yesterday in the House of Representatives Appropriations Committee? They gutted the Goals 2000 program that is helping local schools implement the recommendations of ''A Nation at Risk,'' that our colleagues have hailed as a call to action in education.

What hypocrisy, Mr. President. Over here, we are talking about how we are going to save our public school children, and over in the House of Representatives, the Education Appropriations Committee is gutting the essential programs that make a difference for schoolchildren.

Mr. President, we ought to see the Coverdell bill go to the President of the United States as rapidly as possible. He ought to veto it as fast as he can. He ought to go to the American people and say, if you are really interested and concerned about education, let us go ahead in a bipartisan way and strengthen public schools. Let's not just reject out of hand, as our Republican colleagues have done, every one of the recommendations of the President. One of the most important recommendations the President has championed came from the Senator from Illinois, CAROL MOSELEY-BRAUN, who understands the importance of having school facilities and buildings that are going to be worthy of teaching our children in.

Senator MOSELEY-BRAUN is here on the floor at the present time. She can speak to this issue. When we send our children to dilapidated schools, we are sending them a very important message: Education doesn't really count. We're saying that we don't really care if young people go to dilapidated schools because we grownups are not prepared to put the resources toward modernizing school facilities.

So, Mr. President, this is an absolute sham. The Coverdell bill is an absolute sham. People cannot in this body, given what has happened in the House of Representatives yesterday, stand up and say that this bill will really help solve our education problems and strengthen our public schools.

The PRESIDING OFFICER. I remind the Senator that he has used 10 minutes of his time.

Mr. KENNEDY. I yield myself 15 seconds more. They might have some credibility if they stood up and said we deplore that the President's proposals have been rejected, but we also want to fight for this one and we will fight to restore those funds. But there has been absolute silence on that.

Mr. President, I think this measure should be defeated. We don't have the votes to defeat it, but I certainly hope we try. Our goal should be to strengthen public schools, not abandon them.

I yield whatever time we have to the Senator from Illinois.

The PRESIDING OFFICER. One minute 20 seconds remain.

The Senator from Illinois.

Ms. MOSELEY-BRAUN. Mr. President, I thank the Senator from Massachusetts for his gracious remarks, as well as for yielding me this time.

The Federal Government funds less than 7 percent of the cost of elementary and secondary education. Most of the funding for it comes from your local property taxes or from your State. Now, the fact is that we are debating what to do with our paltry 7-percent contribution, and whether or not we can spread it out as Senator KENNEDY and others have discussed, or whether we should focus our resources on behalf of rebuilding schools, providing concrete assistance to help relieve property taxes. It is illogical to suggest that too few Federal dollars can be divided even further, and yet somehow produce greater results. The fable of the loaves and fishes is not a model for funding public education.

What we need to have is a partnership in which the Federal, State, and local governments come together to relieve the property-tax burden, to engage State support so that all of us, working together, can provide every child in this country with an opportunity for a quality education. This should not be a fight; this should not be finger pointing, and this should not be dissipating what little we have. We should bring our resources together so we can provide quality education. This legislation doesn't do it. I am happy that the President is going to veto this bill. I hope we can fix this problem here in the U.S. Congress.

So, Mr. President, I oppose this conference report. I hope all my colleagues will join me in opposition to this bad legislation, but I know that the future of this bill has already been determined. I have no doubt that this bill will pass the Senate on a near-party line vote, just as it passed the House last Thursday on a near-party line vote. I also have no doubt that President Clinton will follow through on his pledge to veto this bill as soon as it reaches his desk. I have a letter, in fact, from President Clinton, that begins, ''If the conference report on H.R. 2646 is presented to me, I will veto it . . .''

Once that happens, we will be right back where we started. Our schools will be in no better shape than they were at the beginning of this Congress. Our children will have no greater opportunities than they did at the beginning of this Congress. Our country will be in no better position to compete in the 21st century economy that it was at the beginning of this Congress.

Perhaps the only thing we will accomplish is the further erosion of the confidence of the American people in our ability to address important issues. No issue is more important to our future—and no issue is more important to the American people, as they tell us in poll after poll after poll—than education. We ought to be ashamed of ourselves as a legislative body that this bill was the best effort we could muster.

We also ought to be ashamed of the process that was used to write this bill. I was supposed to be a member of the House/Senate conference committee that developed this final bill. I can tell you, Mr. President, that being a member of this conference committee meant nothing. There was no opportunity to help shape this legislation. There was no attempt made to bridge the ideological gap that has stalled any serious federal efforts to help our schools. It seems the sponsors of the bill are more interested in the political gain they expect to reap when the bill is vetoed than they are in trying to put together a bipartisan initiative to improve our schools.

I think the sponsors of this bill have made a mistake in underestimating the acuity of the American people in matters relating to their children's education. This bill is a truly bad idea, and I do not think most Americans will be fooled by the sponsors' rhetoric once they see the reality of the legislation.

The bill allows families to put up to $2,000 a year into special education IRAs, and withdraw the funds to meet the costs of attending public, private, or religious elementary and secondary schools. Contributions into these accounts would not be tax deductible, but interest income on the accounts would be tax free.

The bill represents bad savings policy. The purpose of IRAs—individual retirement accounts—is to encourage long-term savings. The benefits derived from IRAs are directly related to the length of time the funds remain in the accounts. By allowing withdrawals only a few years after contributions have started, this bill actually discourages long-term savings.

This bill is a waste of taxpayers' dollars. The benefits are so small as to make them irrelevant as a means of improving education. The average benefit to a family with a child in a public school would be only $7 per year, and only $37 per year for a family with a child in private school. Even though the benefits to families are so small, the scheme still manages to cost taxpayers $1.5 billion over a 10 year period, funds that could be used for real educational improvements.

The bill is bad education policy. Instead of addressing the real needs of our nation's schools, it drains support from public education in America. According to the Joint Committee on Taxation, more than half the benefits realized under this bill would flow to the seven percent of families whose children already attend private schools. Ensuring that all children have access to a high-quality education should be a priority for every American. Education is more than just a tool to improve the quality of life for individual students. It is a public good as well, as we all benefit from a well-educated citizenry. If some public schools are not up to the challenge of educating our children, then it is our responsibility to fix them, not abandon them.

Mr. President, we can do better than this bill. We must do better if we expect to retain our competitive edge in the 21st century economy. Earlier this year, the grades were posted on a set of international math and science tests. The results were profoundly disturbing. American students placed at or near the bottom on every one of the math and science tests offered—below counties like Cyprus, Slovenia, and Iceland. These results should serve as a clarion call to every policymaker at every level that we need to do more for our children's education. We need a new partnership to increase the educational opportunities available to all our children.

When this bill was being considered on the Senate floor, I offered an amendment that would have created such a partnership. The amendment would have provided tax credits to investors in school bonds, helping states and communities rebuild and modernize their crumbling school infrastructure. The amendment would have helped them modernize classrooms so that no child misses out on the information age. It would have helped them ease overcrowding, so that no child is forced to learn the principles of geometry in a gymnasium. It would have helped them patch leaky roofs, fix broken plumbing, and strengthen the facilities that provide the foundation for our children's education.

In his veto letter, President Clinton wrote, ''The need for school construction and renovation has never been more compelling. . . . If we want our children to be prepared for the 21st century, they ought to have 21st century schools.'' Commenting on the ISTEA reauthorization bill he just signed, the President continued, ''I have just signed into law major legislation that will provide more than $200 billion over six years to help build and repair our nation's highways, bridges, and other transportation infrastructure. Similarly, we have an obligation to invest in the infrastructure needs of our public schools. H.R. 2646 ignores that obligation.''

Once this bill has been vetoed, I intend to again bring up my proposal to help states and communities rebuild and modernize our schools for the 21st century. Maybe by then the message that the American people have been sending to us—that they want us to work together, put our partisan differences aside, and pass real school improvement legislation—will have gotten through.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. COVERDELL. Mr. President, how much time remains on our side?

The PRESIDING OFFICER. The Senator from Georgia controls 24 minutes. The other side is out of time.

Mr. COVERDELL. Mr. President, I yield up to 10 minutes to my colleague, the Senator from Missouri.

The PRESIDING OFFICER. The Senator from Missouri is recognized for up to 10 minutes.

Mr. ASHCROFT. Mr. President, I rise today to express my disappointment that the conference report which accompanies H.R. 2646, the Education Savings and School Excellency Act, does not contain the provisions banning Federal funding for the President's federalized, individualized testing proposal. This provision, which I authored, has been removed in conference because of the clearly communicated concern that the President would veto the legislation based on this issue.

The Senate and House have repeatedly given the administration a failing grade on respecting the role of parents, on local control of what is taught and how it is taught. The President has insisted on trying to promote federalized control of education. Federal testing would lead to a Federal curriculum.

This administration has a lamentable record of harming the interests of American schoolchildren.

For example, on school choice, the President wants to incarcerate America's most disadvantaged youngsters in dangerous, dysfunctional schools, rather than give them a choice of schools.

On block grants, he wants to keep plowing taxpayer money into the bureaucracy, instead of investing more in our classrooms.

Now, on school testing, he wants to cut the rug out from under the role of parents and communities—the most important factors in how well children do in schools.

The more Members of this body have learned about the President's national testing proposal, the less they have liked it. Over the past year, the number of Senators opposing national testing has grown to a majority.

When we first visited this issue last fall during debate on the Labor, HHS and educational appropriations bill, only 13 Senators voted against allowing the President's national testing proposal.

Only one month later, 36 other Senators joined with me to threaten to filibuster the Labor, HHS, and Education appropriations bill unless there was a ban on FY 1998 federal funding for the President's national testing proposal.

In April of this year, when I offered my testing ban as an amendment to the Coverdell A+ bill, the Senate passed the provision by a vote of 52–47.

Over in the House, Congressman BILL GOODLING, Chairman of the House Education and the Workforce Committee, has continued to provide leadership in the fight against national testing. His bill to prohibit funds for national testing passed by a vote of 242–174 in February of this year.

So it is clear that both Chambers of this Congress agree that national testing should be rejected. And the President of the United States wants to promote national testing, and does so, I believe, in an effort that would begin to nationalize the school system. Local control of schools is fundamentally important and should be protected. It is reflected in the understanding of the House and the Senate.

The Senate Majority Leader and the Speaker of the House have provided to Chairman GOODLING and me a written commitment that they will ensure that the text of the Labor/HHS/Education appropriations bill for 1999, and any supplemental or any other such legislation, will not leave Congress without a testing provision that Chairman GOODLING and I find to be satisfactory. That, of course, would be a provision allowing no funds to develop national tests. If the appropriations bill does not make it to the President's desk, they say, then every effort will be made to include this in a continuing resolution or any other must-pass legislation.

I appreciate this assurance from our leadership in both the House and Senate, and my colleagues can be sure that I will do everything in my power to hold them to their commitment.

Mr. President, I ask unanimous consent that the text of the letter from the Major Leader and the Speaker to Chairman GOODLING and me containing these assurances be printed in the RECORD after my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. ASHCROFT. Why am I opposed to national testing? Mr. President, we must remember that any movement toward national control of education savages principles that we as Americans hold dear: parental authority and control, teachers who are free to teach core subject matter and school boards that are responsive to their communities, not held captive by distant bureaucrats.

President Clinton's proposal for national testing of our children is an example of such an attempt at a federal power grab. The President wants to move power out of the hands of parents and school boards and into the hands of Washington bureaucrats.

America resists that for a number of important reasons, and these are the reasons to oppose federalized national tests.

Parental involvement is the most important factor in a child's educational success, and national tests would undermine the ability of parents to play a meaningful role in the educational decisions of their children.

During my time as Governor of Missouri, and through my work with the Education Commission of the States, learned that the single most operative condition in student educational achievement is the involvement of parents. Study after study has proven the significance of parental involvement in their child's education.

We should not disengage parents with a federalized national testing system. Experience has shown that local control is a key factor in educational success.

Experience has shown that local control is a key factor in educational success. As a former Governor who made education a top policy priority, I learned first-hand that local control is needed to create educational programs that respond to the needs of local communities and that stimulate success.

National tests will lead to a national curriculum. There is wide consensus among teachers, administrators, and education experts that ''what gets tested is what gets taught.''

So, if you determine a test, you determine the curriculum.

A national curriculum is detrimental because it eliminates the participation of parents and local schools—the key elements of success. It would do so inevitably. As a result, they key elements of success—parents, schoolteachers, and local decision-making—would be missing in our educational systems throughout the country.

Lynne Cheney, former Chairperson of the National Endowment for the Humanities, reminds us that previous attempts at federal standards have been disastrous.

She points to the politically correct federal history standards which were unanimously rejected in the Senate.

Cheney also points to the English/language arts standards, which were such an ill-considered muddle that even the Clinton Department of Education cut off funding for them after having invested more than $1 million.

The final exam on the Clinton plan for federally controlled testing will come on the Labor/OHS/Education appropriations bill. This Congress—and more importantly, the American people—will be watching very carefully to see how the Administration performs on this issue that affects the future of our children. I will do everything in my power to protect the ability of parents, teachers, and local schools to be involved in the education of their children by participating in the development of school curriculum, standards, and testing.

So I commend this bill to the President. This is an important bill. It would advance substantially the interests of our students. I thank the sponsors for their outstanding work.

I look forward to sending to the President an appropriations bill which would curtail the potential of any money being wasted at the Federal level by imposing inappropriate federalized tests upon local school districts. These tests would curtail the ability of local officials to make the kinds of decisions that are necessary for us to have the kind of school quality that we need in order to survive in the next century.

With that in mind, I thank the sponsor of this legislation and commend him for the outstanding work he has done by stepping forward for America's schoolchildren, and I look forward to the opportunity of working together again to make sure that as we protect the options of parents and local officials to educate their children, we best serve this great land and future generations.

I thank the Chair.

EXHIBIT 1

CONGRESS OF THE UNITED STATES,
Washington, DC, June 5, 1998.

Hon. BILL GOODLING,
Chairman, Committee on Education and the Workforce, House of Representatives, Washington, DC.

Hon. JOHN ASHCROFT,
U.S. Senate, Washington, DC.

GENTLEMEN: We are grateful to the two of you for taking the lead on requiring that testing of students remain at the state and local level. The administration's proposal to control student testing at the federal level necessarily would result in government control of the curriculum. Stopping this central government control of student testing is a very important part of our Republican plan to return our schools to the control of the parents and teachers at the local level.

We have worked with you and voted with you to pass a federal testing prohibition bill in the House and to add an amendment to H.R. 2646, the Education Savings Act for Public and Private Schools. Obviously, since this bill is under the threat of a veto by the administration and a filibuster by Senate Democrats, it does not serve our interests to pursue the ban on federal testing in this bill.

Therefore, in order to ensure that Congress will pass and send to the President a ban on federal testing, you have our commitment to support inclusion of your testing prohibition language (H.R. 2846/Amendment 2300 to H.R. 2646) in the base test of the FY 1999 Labor, Health and Human Services, and Education Appropriations bill. This language will be maintained through floor action and the conference committee process. You have our commitment that this bill will not leave the Congress without a testing provision that you find to be satisfactory.

If for some reason the Labor/HHS/Education Appropriations bill does not make it to the President's desk, then we will support efforts to include this provision in any Continuing Resolution(s), or other ''must pass'' legislation in both bodies. We appreciate your leadership over the past months on this most important issue and look forward to continuing to work closely with you.

Sincerely,

TRENT LOTT.
NEWT GINGRICH.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. I thank my colleague from Missouri for the contribution he has made in this debate and for the work he has expended on behalf of this legislation, and for his remarks.

Mr. President, many, many years ago, in my home city of Atlanta, and in campaigns, I met a woman who worked and still works in our inner city with many of the inner-city problems. She is now the chairperson of the City Wide Advisory Council on Public Housing. Her name is Louise Watley.

She recently wrote a letter to me and my colleague, Senator CLELAND from Georgia, and she said:

As a resident of the Carver Homes Public Housing Community since 1955, I have witnessed generations of young African Americans grow up in one our Nation's poorest neighborhoods. In the 1980s, I fought the epidemic of crack cocaine among our youth by working to kick drug dealers out of our community. In the 1990s, I find myself fighting the epidemic of hopelessness that has resulted from the increasing failure of our public schools to educate poor, urban children, As the Chairperson of the City Wide Advisory Council on Public Housing (''CWAC'') and on behalf of the thousands of Atlanta public housing residents the Council represents, I ask you to provide us with hope for improving the K–12 education of our children.

By way of this letter, I urge both of you to continue this important trend of granting parents greater choice in the education of their children. Please avoid the temptation of sacrificing the poorest children in America in order to protect an education bureaucracy that seems to care more about money and job security than it does about helping children to read, to write and to recognize right from wrong.

Please support the passage of the A+ Accounts for Public and Private Schools Act as well as stronger federal charter school legislation and demonstration public and private school choice projects.

I have not seen Louise in many, many years. But I am encouraged that she is still at work on behalf of our community.

I think she has in this letter crystallized the very severe problem we are having all across the country, for we are graduating students from all too many schools who do not have the basic skills to enjoy the full benefits of citizenship.

Earlier in the debate, the Senator from Virginia, who, while kind to this legislation, indicated he would vote against it on its scoring priorities, said this bill, or the education savings account, spends $1.5 billion in tax relief for families to open these savings accounts and that if we are going to spend $1.5 billion, we ought to do it on higher priorities.

The math doesn't work. The education savings account creates $1.5 billion of tax relief on the interest built up on savings that families put into savings accounts if they use it for education.

It does not spend $1.5 billion; it leaves $1.5 billion in those checking accounts of those families. And what do they do? They save $12 billion. So what we have done is, we have taken $1.5 billion, we have left it home all across the country, and we have built a resource eight times that size. So instead of looking at it as if it is $1.5 billion we did not ratchet out of somebody's checking account, you ought to look at it as if we have encouraged Americans to save $12 billion that would come to the aid of education. Where else can you invest $1.5 billion and store up $12 billion that would come to the support of children all across the land.

It is a plus. We are causing billions of new dollars to come to the aid of educators and education. It is just amazing; I heard several Senators on the other side view this as an expenditure because we left some money in the checking accounts of American families. It has always been amazing to me how little incentive it takes to make Americans do huge things. Boy, wouldn't we love it if every billion we invested here could generate $12 billion of value. It would be a remarkable achievement. So this is not setting $1.5 billion aside for building schools or doing something else. This is leaving $1.5 billion in checking accounts, and it causes them to pull together $12 billion. And that is the minimal estimate. I think it will be much more.

I think it is good in the closing minutes here to remind the Senate and anybody listening that this legislation has an enormous reach. Sometimes we forget to analyze or take a look at the total value. I just said this legislation will cause Americans to save at a minimum $12 billion. If nothing else, helping that would be great, considering the fact we have one of the lowest savings rates in the industrialized world. But this bill will make beneficiaries of half the school population wherever they go to school—public, private, or home—in the United States. Fourteen million families will open a savings account. We don't know how many million sponsors—grandparents, companies, unions and churches—will come to the aid of those accounts, because it allows sponsors, but 14 million families parenting over 20 million children—that is half the school population—will be beneficiaries if this bill passes and is signed by the President. One million students entering higher education will have a better chance of financing it because it gives tax relief to the 21 States that have prepaid tuition plans, and 17 new States are considering it.

Fourteen million families, 20 million children, 1 million students in higher education, 1 million employees seeking to improve their continuing education will be helped by the legislation. In other words, Mr. President, the reach of the bill that is before us, the bipartisan bill, is enormous and will have the effect of causing millions of families and millions of students across this land to enter into a new consciousness about improving their education, and it will be the smartest money that was ever accumulated because it will be guided like a missile system by the parents and relatives and friends of that child to the most urgent needs that child faces. If they have special education problems or health problems, if they have a deficiency in math or reading, it will end up paying for it, or a computer or tutor. And I might point out that over 80 percent of the students in inner-city schools do not have a computer. This can begin to take care of it.

Mr. President, this legislation reaches into every community at every level, and while it is not a cure-all it gives lots of people lots of new tools to go to work on turning this situation around in America. And if you want the next century to be an American century, you better be focused on grades kindergarten through high school. We need to get that job done.

Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator from Georgia has 6 minutes 5 seconds.

Mr. COVERDELL. Mr. President, I yield 3 minutes to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized for 3 minutes.

Mr. GORTON. Mr. President, I am here to speak as eloquently as I possibly can in favor of this proposal. The genius and the persistence of the Senator from Georgia in bringing this major educational reform this far is to be commended highly.

I feel a particular attachment to this bill because with the help of the Senator from Georgia, while it was being debated before the Senate, there was added to it my own triple option, an opportunity to let each State decide whether or not it would continue to get its Federal aid to education in the present fashion, as a block grant to the State without Federal regulations, or as a block grant directly to school districts without either State or Federal regulations, trusting the people who provide education to their children—teachers, principals and elected school board members.

Because that is a relatively new idea and highly controversial, its inclusion in this bill would have frustrated our ability to pass this bill and send it to the President. It was, therefore, with my reluctant consent, dropped from the bill that is before us at the present time.

But the perfect should not ever be the enemy of the good, and the work that has gone into this proposal, the fact that it is highly bipartisan, the fact that there is a real opportunity that it should become law makes it one of the most important bills and the most important debates that we have engaged in in the State so far this year.

So I thank my friend from Georgia, congratulate him on his good work and commend to all of my colleagues, both Democrats and Republicans, this important educational reform.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. I very much thank the Senator from Washington for his remarks.

I yield 1 minute to the Senator from South Carolina.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. THURMOND. Mr. President, I commend the able Senator from Georgia for the manner in which he has handled this bill. There is nothing more important than education. I started out my career as a schoolteacher. I taught school for 6 years in Edgefield and McCormick Counties and then went to the State senate and spent most of my time in the State senate on education matters. I believe we should do more in the field of education; that is the hope of the future. And I hope the Congress will pass this bill and do it promptly.

Mr. COVERDELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. COVERDELL. I thank the Senator from South Carolina.

I yield up to 2 minutes to my distinguished colleague from Delaware.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I will, believe it or not, take only 1 minute.

I compliment the Senator from Georgia. I am going to vote with him. I told him when he first introduced this legislation I would support it. In the meantime, it picked up some other amendments, Gorton and Ashcroft, and I announced at the time I voted against it with Ashcroft and Gorton as part of it, that if it came out of conference as it was originally constructed, I could support it.

I thank him for his fairness, the way he has dealt with this, the openness in the way he has dealt with this, and I compliment him on bringing back to this body a piece of legislation that I and I believe probably another half dozen or more Democrats will be able to support.

So I thank him very much for his courtesy.

Mr. COVERDELL. Mr. President, I thank my colleague from Delaware for his interest in this legislation and the fairness with which he has approached it. I appreciate very much his decision to vote for the legislation.

In closing, I thank the majority leader for his tenacity, all my cosponsors who worked so long and hard, nearly 2 years, and the conference committee for the extended work to reach out in a bipartisan effort.

At this time, I yield whatever remaining time there is.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. All time has expired or has been yielded back.

The question now occurs on adoption of the conference report to accompany H.R. 2646, the Educational Savings and School Excellence Act of 1998.

The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from New Mexico (Mr. DOMENICI) is necessarily absent.

I also announce that the Senator from Pennsylvania (Mr. SPECTER) is absent because of illness.

Mr. FORD. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from Montana (Mr. BAUCUS), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

The PRESIDING OFFICER (Mr. BURNS). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 59, nays 36, as follows:

[Rollcall Vote No. 169 Leg.]

YEAS—59

Abraham	Faircloth	Mack
Allard	Feinstein	McCain
Ashcroft	Frist	McConnell
Bennett	Gorton	Murkowski
Biden	Gramm	Nickles
Bond	Grams	Roberts
Breaux	Grassley	Roth
Brownback	Gregg	Santorum
Burns	Hagel	Sessions
Byrd	Hatch	Shelby
Campbell	Helms	Smith (NH)
Cleland	Hutchinson	Smith (OR)
Coats	Hutchison	Snowe
Cochran	Inhofe	Stevens
Collins	Kempthorne	Thomas
Coverdell	Kohl	Thompson
Craig	Kyl	Thurmond
D'Amato	Lieberman	Torricelli
DeWine	Lott	Warner
Enzi	Lugar	

NAYS—36

Bingaman	Glenn	Leahy
Boxer	Graham	Levin
Bryan	Harkin	Mikulski
Bumpers	Hollings	Moseley-Braun
Chafee	Inouye	Moynihan
Conrad	Jeffords	Murray
Daschle	Johnson	Reed
Dodd	Kennedy	Reid
Dorgan	Kerrey	Robb
Durbin	Kerry	Sarbanes
Feingold	Landrieu	Wellstone
Ford	Lautenberg	Wyden

NOT VOTING—5

Akaka	Domenici	Specter
Baucus	Rockefeller	

The conference report was agreed to.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1999

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 2057, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2057) to authorize appropriations for the fiscal year 1999 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The Senate resumed consideration of the bill.

AMENDMENT NO. 2975

(Purpose: To express the sense of Congress regarding continued participation of United States forces in operations in Bosnia and Herzegovina)

Mr. THURMOND. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. THURMOND], for himself, Mr. LEVIN and Mr. COATS, proposes an amendment numbered 2975.

Mr. THURMOND. Mr. President, the committee has worked very hard to achieve consensus on an amendment——

Mr. BYRD. Mr. President, will the distinguished Senator yield just briefly?

Mr. THURMOND. Yes.

Mr. BYRD. Mr. President, the clerk has not finished the reading of the amendment and there has been no unanimous consent request to ask that the reading of the amendment be waived.

The PRESIDING OFFICER. The clerk will report.

Mr. THURMOND. Mr. President, I ask unanimous consent reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the end of subtitle D of title X, add the following:

SEC. 1064. SENSE OF CONGRESS REGARDING CONTINUED PARTICIPATION OF UNITED STATES FORCES IN OPERATIONS IN BOSNIA AND HERZEGOVINA.

(a) FINDINGS.—Congress makes the following findings:

(1) The contributions of the people of the United States and other nations have, in large measure, resulted in the suspension of fighting and alleviated the suffering of the people of Bosnia and Herzegovina since December 1995.

(2) the people of the United States have expended approximately $9,500,000,000 in tax dollars between 1992 and mid-1998 just in support of the United States military operations in Bosnia to achieve those results.

(3) Efforts to restore the economy and political structure in Bosnia and Herzegovina have achieved some success in accordance with the Dayton Agreement.

(4) In February 1998, the President certified to Congress that the continued presence of United States forces in Bosnia and Herzegovina after June 30, 1998, was necessary in order to meet national security interests of the United States.

(5) There is, however, no accurate estimate of the time needed to accomplish the civilian implementation tasks outlined in the Dayton Agreement.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) United States ground combat forces should not remain in Bosnia and Herzegovina indefinitely in view of the world-wide commitments of the Armed Forces of the United States;

(2) the President should work with NATO allies and the other nations whose military forces are participating in the NATO-led Stabilization Force to withdraw United States ground combat forces from Bosnia and Herzegovina within a reasonable period of time, consistent with the safety of those forces and the accomplishment of the Stabilization Force's military tasks;

(3) a NATO-led force without the participation of United States ground combat forces in Bosnia and Herzegovina might be suitable for a follow-on force for Bosnia and Herzegovina if the European Security and Defense Identity is not sufficiently developed or is otherwise considered inappropriate for such a mission;

(4) the United States may decide to provide appropriate support to a Western European Union-led or NATO-led follow-on force for Bosnia and Herzegovina, including command and control, intelligence, logistics, and, if necessary, a ready reserve force in the region;

(5) the President should inform the European NATO allies of this expression of the sense of Congress and should strongly urge them to undertake preparations for establishing a Western European Union-led or a NATO-led force as a follow-on force to the NATO-led Stabilization Force if needed to maintain peace and stability in Bosnia and Herzegovina; and

(6) the President should consult closely with the congressional leadership and the congressional defense committees with respect to the progress being made toward achieving a sustainable peace in Bosnia and Herzegovina and the progress being made toward a reduction and ultimate withdrawal of United States ground combat forces from Bosnia and Herzegovina.

(c) DAYTON AGREEMENT DEFINED.—In this section, the term ''Dayton Agreement'' means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

Mr. THURMOND. Mr. President, the committee has worked very hard to achieve consensus on an amendment that would represent the majority views of the committee. Since May 13, at the request of several Members, the committee has met at least five times to discuss possible amendments on Bosnia that would be offered to the defense bill. The committee also conducted a hearing with Ambassador Robert Gelbard and General Wesley Clark to discuss the status of progress in implementing the Dayton Agreement.

Despite all meetings and discussions, the committee was not able to reach